



FINANCE COMMITTEE AGENDA

Tuesday, April 14, 2015

8:30 AM

Executive Conference Room, Level Three

Brea Civic & Cultural Center, 1 Civic Center Circle, Brea, California

MEMBERS: Council Members Cecilia Hupp and Steven Vargas

ALTERNATE: Mayor Marty Simonoff

Materials related to an item on this agenda submitted to the Finance Committee after distribution of the agenda packet are available for public inspection in the third floor lobby of the Civic and Cultural Center at 1 Civic Center Circle, Brea, CA during normal business hours. Such documents may also be available on the City's website subject to staff's ability to post documents before the meeting.

CALL TO ORDER / ROLL CALL

1. Matters from the Audience

CONSENT

2. Approval of Minutes of March 31, 2015 Meeting

[Finance Committee Minutes - March 31, 2015](#)

3. Amendment to Joint Agreement for the Operation, Maintenance, and Financial Management of the Orange County 800 Megahertz Countywide Coordinated Communication System

[Staff Report](#)

4. Approval and Receipt of the Annual Engineer's Report for Maintenance Districts #1, 2, 3, 4, 5, 6 and 7, and Adopt the Resolution of Intent

[Staff Report](#)

[Exhibit A](#)

[Resolution LLMD1](#)

[Resolution LLMD2](#)

[Resolution LLMD3](#)

[Resolution LLMD4](#)

[Resolution LLMD5](#)

[Resolution LLMD6](#)

[Resolution LLMD7](#)

[Engineer's Report](#)

NOTE: This agenda is subject to amendments up to 72 hours prior to the meeting date.

5. Contract for Graffiti Removal Service with Urban Graffiti Enterprises, Inc. for City-Wide Graffiti Removal Services

[Staff Report](#)

[PSA Graffiti Removal](#)

[Exhibit A](#)

6. Budget Adjustments to the City Operating Program Budget for Fiscal Year 2014-15

[Staff Report - Budget Adjustments to the City Operating Program FY 2014-15](#)

[Exhibit A](#)

[Exhibit B](#)

DISCUSSION

7. Next meeting scheduled: April 28, 2015

Special Accommodations

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (714) 990-7757. Notification 48 hours prior to the meeting will enable City staff to make reasonable arrangements to ensure accessibility. (28 CFR 35.102.35.104 ADA Title II)

NOTE: This agenda is subject to amendments up to 72 hours prior to the meeting date.



FINANCE COMMITTEE MINUTES

Tuesday, March 31, 2015

8:30 AM

Executive Conference Room, Level Three

Brea Civic & Cultural Center, 1 Civic Center Circle, Brea, California

CALL TO ORDER / ROLL CALL

ATTENDEES: Council Member Cecilia Hupp, Council Member Steven Vargas, Bill Gallardo, David Crabtree, Eric Nicoll, Raul Lising, Alicia Brenner and Mario Maldonado

1. Matters from the Audience – *None*.

CONSENT

2. Approval of Minutes of March 10, 2015 – *Recommended for Council approval.*
3. Bids And Contract With Pro Tech Engineering Corp For The Traffic Control Technology Improvement Program (Phase 2), Project 7711 And Appropriate Funds – *Recommended for Council approval.*
4. Bids and Contract With EAR Engineering, Construction & Support Services For The City Yard Underground Fuel Tanks Replacement And Brea Sports Park Fuel Tank Installation Project 7918 – *Recommended for Council approval.*
5. Schedule next meeting: April 14, 2015

Meeting adjourned: 8:55 AM

cc: Mayor Marty Simonoff
Mayor Pro Tem Christine Marick
Council Member Glenn Parker

COUNCIL COMMUNICATION

Date: April 21, 2015

To: Honorable Mayor and City Council

From: Tim O'Donnell, City Manager

Subject: **AMENDMENT TO JOINT AGREEMENT FOR THE OPERATION, MAINTENANCE, AND FINANCIAL MANAGEMENT OF THE ORANGE COUNTY 800 MEGAHERTZ COUNTYWIDE COORDINATED COMMUNICATION SYSTEM**

RECOMMENDATION

Approve an amendment to the Joint Agreement for the Operation, Maintenance, and Financial Management of the Orange County 800 Megahertz Countywide Coordinated Communication System.

BACKGROUND

Orange County has been a nationally recognized leader in public safety communications since the first County-wide radio system in 1934. For 65 years, the County and all municipalities enjoyed discipline-specific interoperability, with the availability of direct radio communication between public safety agencies and Orange County Communications. In 1999, Orange County Communications and every municipal agency implemented the current 800 MHz Countywide Coordinated Communications System (CCCS). This current iteration of CCCS provides all-discipline interoperability, an expansion which allowed agencies from various segments of the public safety system to directly communicate via radio.

**AMENDMENT TO JOINT AGREEMENT FOR THE OPERATION, MAINTENANCE,
AND FINANCIAL MANAGEMENT OF THE ORANGE COUNTY 800 MEGAHERTZ
COUNTYWIDE COORDINATED COMMUNICATION SYSTEM**

The current CCCS, developed by Motorola, gained national recognition as a model of an interoperable radio system and has served the agency partnership well. The initial life expectancy of the system and its components was the year 2015. In 2004 the City of Brea entered into a Joint Agreement with the County and all municipalities in Orange County to formalize operation and management of the system components. The Joint Agreement included descriptions and formulas for the sharing of costs among all participants, and created the 800 MHz CCCS Governance Committee, which provides oversight and direction on system operations. In 2009, the Governance Committee directed Orange County Communications to identify an extended, next generation radio system in anticipation of the end of life of the current system, now projected to be in 2018.

DISCUSSION

A complete system replacement was deemed too expensive to pursue; therefore, a four phase upgrade to the existing system was developed. This upgrade will avoid a complete system replacement and allow for funding requirements to be spread out over many years, and will include the implementation of the latest system architecture recommended for public safety communications interoperability. The cost of the system upgrade was initially estimated to be approximately \$158 million County-wide, although costs to date have been less than anticipated.

Phase 1 of the project was the replacement of critical, obsolete “backbone” equipment, which helped extend the anticipated, useful life of the current system. This phase was

**AMENDMENT TO JOINT AGREEMENT FOR THE OPERATION, MAINTENANCE,
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COUNTYWIDE COORDINATED COMMUNICATION SYSTEM**

completed in 2011 at an approximate cost of \$2.8 million, funded by a grant and existing system life extension contributions from the partnership. The successful completion of this phase extended the life expectancy of the current system to 2018, further allowing upgrade costs to be spread out over more years.

Phases 2-4 are beginning. This will include completion of the upgrading of backbone equipment and replacement of agency-owned equipment (mobile radios, handheld radios, dispatch stations, consoles). All City-owned equipment must be replaced by 2018 with equipment compatible with the new system. During Fiscal Years 14-15 through 17-18, participating agencies will fund backbone construction costs.

By FY2017-18, the City of Brea will be required to purchase quantities of radio components in four areas: Dispatch Consoles, Mobile (Vehicular) Radios, Handheld Radios, and Consolettes. Consoles are utilized in the Brea Communications Center (Dispatch) primarily to communicate with Brea Police Department personnel, as well as Brea Public Works personnel and other police agencies. Consolettes are utilized in Dispatch and throughout the City as base stations. Mobile Radios and Handheld Radios are utilized by members of the Brea Police, Fire, and Public Works departments.

OPTIONS CONSIDERED

The only option for radio communications other than the Countywide Coordinated Communications System would be for the City of Brea to implement its own public safety radio system, either internally or via contract. A Brea system would not have any

AMENDMENT TO JOINT AGREEMENT FOR THE OPERATION, MAINTENANCE, AND FINANCIAL MANAGEMENT OF THE ORANGE COUNTY 800 MEGAHERTZ COUNTYWIDE COORDINATED COMMUNICATION SYSTEM

interoperability with neighboring agencies or the remainder of Orange County, significantly impairing operations in the event of public safety emergencies and/or major events, such as natural disasters. The costs of such a system are unknown, but it would likely require significant infrastructure improvements and adding more full-time City personnel to oversee and maintain it.

COMMITTEE RECOMMENDATION

The Finance Committee recommended...

FISCAL IMPACT

The 2004 Joint Agreement is being amended to reflect the commitment of the parties to fund and implement the new, extended system. The amendment and its appendices set forth the implementation process and schedule, and also set estimated, 'not to exceed' costs for each party. Through FY2017-18, the City of Brea is estimated by the County of Orange to expend approximately \$3.3 million dollars total for all aspects of the system, including all radio equipment and backbone sharing costs. These figures are based on the City's current inventory of radios and associated equipment. City staff have engaged in ongoing discussions on potential reductions in total equipment. Based on those discussions, it appears that reductions in the amount of radios to be purchased can be made, thus reducing the City's estimated costs, potentially by up to \$300,000 based on current pricing of such equipment.

**AMENDMENT TO JOINT AGREEMENT FOR THE OPERATION, MAINTENANCE,
AND FINANCIAL MANAGEMENT OF THE ORANGE COUNTY 800 MEGAHERTZ
COUNTYWIDE COORDINATED COMMUNICATION SYSTEM**

City staff has evaluated the funding options for these costs. The three options considered included: cash purchases at the time of expenditure for each piece, financing the costs through the County, or financing the costs through the selected vendor for the entire system, Motorola. The recommended option will be presented within the proposed budget for FY2015-16.

SUMMARY

In 1999, Orange County Communications and every municipal agency implemented the current 800 MHz Countywide Coordinated Communications System (CCCS) which currently allows all agencies the ability to directly communicate via radio. In 2004, the City of Brea entered into a Joint Agreement with the County and all municipalities in Orange County to formalize operation and management of the system components. The life expectancy of the system and its components was the year 2015. A complete system replacement was deemed too expensive to pursue; therefore, a four phase upgrade to the existing system was developed which will spread the shared costs over several years and move the life expectancy date to the year 2018. The fiscal impact is estimated to be up to \$3.3 million dollars.

Respectfully submitted,

Tim O'Donnell, City Manager

Prepared by:

**AMENDMENT TO JOINT AGREEMENT FOR THE OPERATION, MAINTENANCE,
AND FINANCIAL MANAGEMENT OF THE ORANGE COUNTY 800 MEGAHERTZ
COUNTYWIDE COORDINATED COMMUNICATION SYSTEM**

John Burks, Police Captain
Concurrence:

John M. Conklin, Chief of Police

City of Brea

Agenda Item:

COUNCIL COMMUNICATION

Date: April 21, 2015

To: Honorable Mayor and City Council

From: City Manager

Subject: APPROVAL AND RECEIPT OF THE ANNUAL ENGINEER'S REPORT FOR MAINTENANCE DISTRICTS #1, 2, 3, 4, 5, 6 AND 7, AND ADOPT THE RESOLUTION OF INTENT

RECOMMENDATION

It is recommended that the Engineer's Report be accepted for Landscape and Lighting Maintenance Districts #1, 2, 3, 4, 5, 6, and 7 and that a Resolution of Intent be adopted setting a Public Hearing for each District on May 19, 2015, at 7:00 p.m.

BACKGROUND

As called for in the Landscape And Lighting Act of 1972, a yearly assessment is to be made for each Maintenance District. For Council reference, the Districts are located on the attached map (Exhibit A). The estimated assessments for the 2015-2016 fiscal year as detailed in the engineer's report are as follows:

Maintenance District	2014-15 Assessment per lot per year	2015-16 Assessment per lot per year	Change in assessment per lot per year	% Change
M.D. #1	543.00	543.00	0	0% change
M.D. #2	18.50	18.50	0	0% change
M.D. #3	446.37	449.49	3.12	.7% change
M.D. #4	12.00	12.00	0	0% change
M.D. #5	786.54	786.54	0	0% change
M.D. #6	1,350.00	1,350.00	0	0% change
M.D. #7	253.05	253.05	0	0% change

Approval AND RECEIPT OF THE ANNUAL ENGINEER'S REPORT FOR MAINTENANCE DISTRICTS #1, 2, 3, 4, 5, 6 AND 7, AND ADOPT THE RESOLUTION OF INTENT

DISCUSSION

Maintenance District #1 (American National -103 Parcels) - On February 24, 2015 staff held a general meeting with the homeowners of this District. Residents representing nine parcels chose to attend. The total estimated costs for FY 15-16 are \$61,380. The total annual assessment amount for this District is currently \$55,929. No change is recommended for fiscal year 2015-16. This will require the expenditure of \$5,451 from the District's reserve fund. The annual assessment will remain at \$543 per parcel per year. Current fund reserves are \$28,297.

Maintenance District # 2 (Baldwin - 297 Parcels) - The assessment for this District is for theme street lighting maintenance only. The Homeowners' Association maintains the common landscaped areas. Staff held a general meeting on February 21, 2015, to discuss the coming year's budget. No homeowners attended. The total estimated costs for FY 15-16 will be \$5,075. The total annual assessment for this District is currently \$5,495. No change is recommended in this amount during fiscal year 2015-16. The annual assessment will remain at \$18.50 per parcel per year. Current fund reserves are \$34,523.

Maintenance District # 3 (Eagle Development - 188 Parcels) - Staff held a general meeting for the homeowners on February 21, 2015. Residents representing five parcels chose to attend. Residents gave staff direction on a scope of work for repairs to the eagle statue and asked staff to continue an educational out-reach to the residents to explore a one-time Community Facilities District (CFD) overlay on the existing LLMD to pay for the estimated \$600,000 in landscaping improvements. The group concurred to increase the

Approval AND RECEIPT OF THE ANNUAL ENGINEER'S REPORT FOR MAINTENANCE DISTRICTS #1, 2, 3, 4, 5, 6 AND 7, AND ADOPT THE RESOLUTION OF INTENT

assessment to the maximum allowable amount. The total estimated costs for FY 15-16 are \$104,360. This will allow for routine maintenance and landscaping upgrades as afforded. The current annual assessment for this District is \$83,917 or \$446.37 per parcel per year, which was the maximum allowable assessment for FY 2014-2015. It is recommended that the annual assessment be increased during fiscal year 2015-16 equal to the CPI increase for the previous one year period, .7%. The recommended annual assessment would be \$81,945 or \$449.49 per parcel per year, an increase of \$3.12 per parcel per year. Current fund reserves are \$56,641.

Maintenance District #4 (Ponderosa - 230 Parcels) - The assessment for this District is for theme street lighting maintenance only. The Homeowners' Association maintains the common landscaped areas. Staff held a general meeting on February 21, 2015, to discuss the coming year's budget. No homeowners attended. The total estimated costs for FY 15-16 are \$1,893. The total annual assessment for this District is currently \$2,760. No change is recommended in the annual assessment for this District during fiscal year 2015-16. The annual assessment will remain at \$12 per parcel per year.

Maintenance District # 5 (Konweiser - 113 Parcels) - On February 19, 2015, staff held a general meeting for the homeowners to discuss the coming year's budget and any concerns regarding maintenance of the common areas. Residents representing three parcels chose to attend. The residents agreed to continue with construction documents for landscape improvements in the District. The total estimated costs for FY 15-16 are \$107,123. The total annual assessment for this District is \$88,877. No change is recommended in this amount

Approval AND RECEIPT OF THE ANNUAL ENGINEER'S REPORT FOR MAINTENANCE DISTRICTS #1, 2, 3, 4, 5, 6 AND 7, AND ADOPT THE RESOLUTION OF INTENT

during fiscal year 2015-16. This will require the expenditure of \$18,246 from the District's reserve fund. The annual assessment will remain at \$786.54 per parcel per year. Current fund reserves are \$56,398.

Maintenance District # 6 (Schmid Development - 135 Parcels) - This District is the largest of the seven Districts. It consists of 16 acres of common landscaped areas. Staff held a general meeting on February 19, 2015, to discuss the coming year's budget and assessment. Homeowners representing five parcels chose to attend. The total estimated costs for FY 15-16 are \$193,680. The total annual assessment amount for this District is currently is \$182,250. No change is recommended in this amount during fiscal year 2015-16. This will require the expenditure of \$11,430 from the District's reserve fund. The annual assessment will remain at \$1,350 per parcel per year for operations. Current fund reserves are \$91,133.

Maintenance District #7 (Baywood Development - 96 Parcels) - Staff held a general meeting on February 24, 2015, to discuss the coming year's budget and assessment. No homeowners attended. This meeting was held to solicit input into the assessment process. The total estimated costs for FY 15-16 are \$27,944. The current annual assessment for this District is \$24,293. No change is recommended for the fiscal year 15-16. This will require the expenditure of \$3,651 from the District's reserve fund. The annual assessment will remain at \$253.05 per parcel per year. Current fund reserves are \$14,578.

COMMITTEE RECOMMENDATION

Finance Committee reviewed this item at their meeting on April 14, 2015 and

Approval AND RECEIPT OF THE ANNUAL ENGINEER'S REPORT FOR MAINTENANCE DISTRICTS #1, 2, 3, 4, 5, 6 AND 7, AND ADOPT THE RESOLUTION OF INTENT

FISCAL IMPACT

There will be no impact to the General Fund by this action. All funding for the maintenance of the Districts is provided by separate assessments. In addition, the Districts' reimburse the General Fund for staff time.

SUMMARY

As called for in the Landscape and Lighting Act of 1972, a yearly assessment is to be made for each maintenance District. Staff held general meetings with the homeowners during the week and on a Saturday this year to discuss the coming year's budget and improvement projects. It is recommended that the Engineer's Report be accepted for Landscape and Lighting Maintenance Districts #1, 2, 3, 4, 5, 6 and 7 and that a Resolution of Intent be adopted setting a public hearing for each District on May 19, 2015, at 7:00pm.

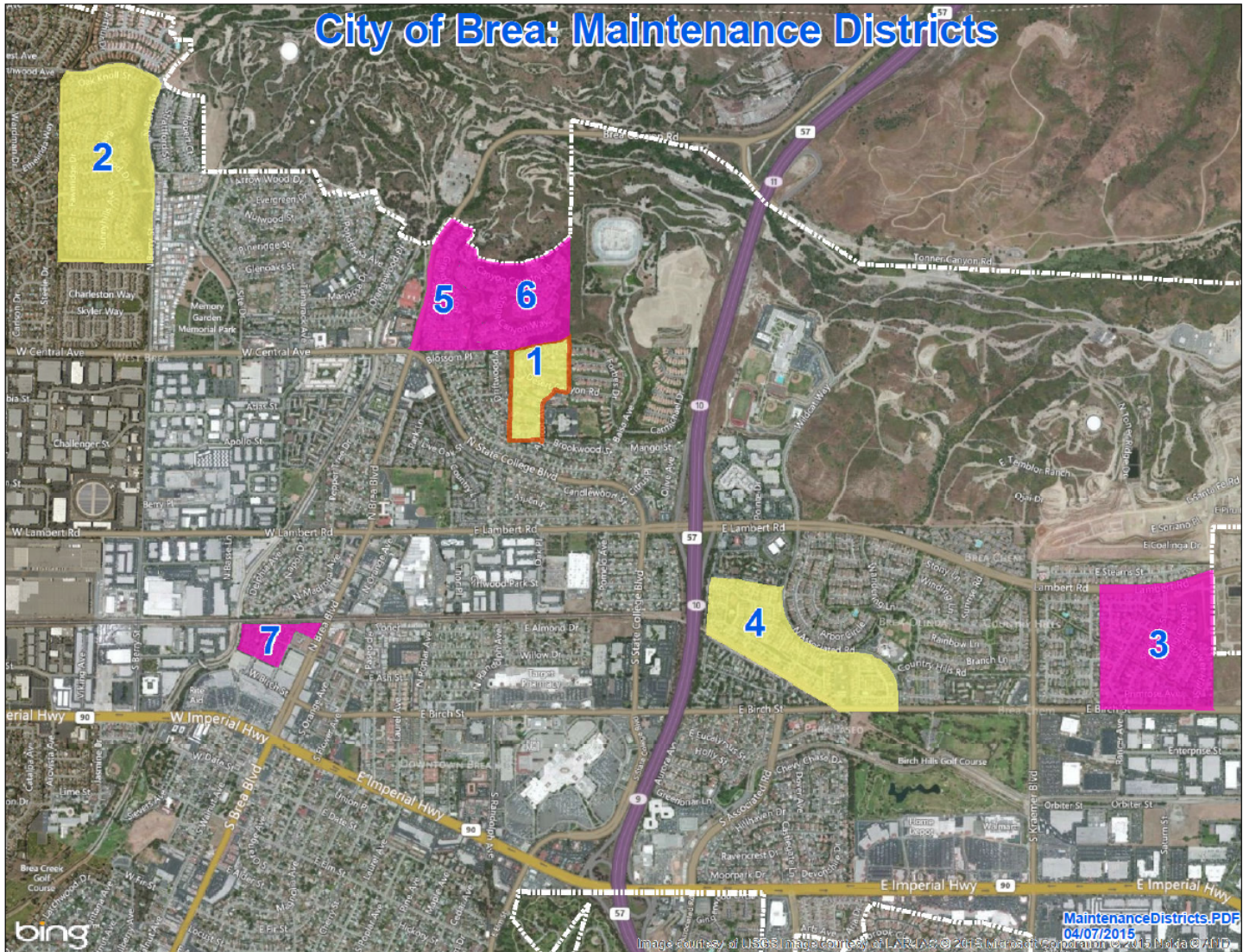
Respectfully submitted: Tim O'Donnell, City Manager

Prepared by: Bill Bowlus, Public Works Superintendent

Concurrence: Eric Nicoll, Public Works Director

Attachments: Resolutions (7), LLMD 1-7 Engineer's Report, Exhibit A – Maintenance District Map

Exhibit A



RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREA APPROVING THE REPORT FILED PURSUANT TO SECTION 22623 OF THE STREETS AND HIGHWAYS CODE WITH RESPECT TO CITY OF BREA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1 AND FIXING AND GIVING NOTICE OF A TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY OF AN ASSESSMENT ON SAID DISTRICT FOR FISCAL YEAR 2015-2016

A. RECITALS:

(i) This Council heretofore adopted a resolution creating City of Brea Landscape and Lighting Assessment District No. 1 pursuant to Division 15 of the California Streets and Highways Code.

(ii) The Director of Public Works has prepared, filed with the City Clerk and presented to this Council a report relating to said assessment pursuant to the provisions of Section 22623 of the California Streets and Highways Code.

B. RESOLUTION:

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Brea as follows:

1. In all respects as set forth in the Recitals, Part A, of this Resolution.
2. The above-described report submitted by the Director of Public Works relating to City of Brea Landscape and Lighting Assessment District No. 1 is hereby approved as filed.
3. This Council hereby declares its intention to levy and collect assessments during fiscal year 2015-2016 pursuant to Division 15 of the Streets and Highways Code of

the State of California, known as the "Landscape and Lighting Act of 1972," on that area designated "City of Brea Landscape and Lighting Assessment District No. 1," an area encompassed by Final Tract Nos. 9121, 9341 and 9342 and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

4. A general description of the improvements proposed for the aforementioned district is as follows:

The maintenance and possible future replacement of lighting, landscaping and any facilities which are appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof, including grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, or water, irrigation, drainage, or electrical facilities. Said maintenance and servicing of said lighting shall be in the area of Tract Nos. 9121, 9341 and 9342. Said landscaping and related facilities shall be in the lettered lots, common parking bays and related planters within Final Tract Nos. 9121, 9341 and 9342.

5. Reference hereby is made to the report of the Director of Public Works relating to the said assessment district herein above approved. Said report is on file with the City Clerk of the City of Brea and contains a full and detailed description of the improvements, the boundaries of the assessment district and contains the proposed assessments upon assessable lots and parcels of land within City of Brea Landscape and Lighting District No. 1 for fiscal year 2015-2016. Said proposed assessment per lot is in the amount of \$543.00.

6. This Council hereby fixes 7:00 p.m. on May 19, 2015, in the Council

Chambers, Brea Civic and Cultural Center, 1 Civic Center Circle, Brea, California, as the time and place for a hearing before this Council on the question of the levy of the proposed assessments on City of Brea Landscape and Lighting Assessment District No. 1 for fiscal year 2015-2016 and hereby gives notice of said hearing.

7. The City Clerk shall do the following:

a. Certify to the adoption of this Resolution;

b. Cause a true and correct copy of this Resolution to be published once in a newspaper of general circulation located within the City of Brea at least ten days prior to May 19, 2015.

APPROVED AND ADOPTED this 21st day of April, 2015.

Mayor

ATTEST: _____
Acting City Clerk

I, Crystal Martinez, Acting City Clerk of the City of Brea, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Brea held on the 21st day of April, 2014, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAINED: COUNCIL MEMBERS:

DATED: _____

City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1

LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1 INCLUDES ALL OF THE PROPERTIES IN THE CITY OF BREA LOCATED WITHIN THE TRACT BOUNDARY OF TRACT NO. 9121 RECORDED IN BOOK 378, PAGES 49 AND 50; TRACT NO. 9341 RECORDED IN BOOK 395, PAGES 28, 29 AND 30; AND OF TRACT NO. 9342 RECORDED IN BOOK 386, PAGES 41, 42 AND 43, ALL OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREA APPROVING THE REPORT FILED PURSUANT TO SECTION 22623 OF THE STREETS AND HIGHWAYS CODE WITH RESPECT TO CITY OF BREA LIGHTING ASSESSMENT DISTRICT NO. 2 AND FIXING AND GIVING NOTICE OF A TIME AND PLACE FOR A PUBLIC HEARING OF THE LEVY OF AN ASSESSMENT ON SAID DISTRICT FOR FISCAL YEAR 2015-2016

A. RECITALS:

(i) This Council heretofore adopted a resolution creating City of Brea Lighting Assessment District No. 2 pursuant to Division 15 of the California Streets and Highways Code.

(ii) The Director of Public Works has prepared, filed with the City Clerk and presented to this Council a report relating to said assessment pursuant to the provisions of Section 22623 of the California Streets and Highways Code.

B. RESOLUTION:

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Brea as follows:

1. In all respects as set forth in the Recitals, Part A, of this Resolution.
2. The above-described report submitted by the Director of Public Works relating to City of Brea Lighting Assessment District No. 2 is hereby approved as filed.
3. This Council hereby declares its intention to levy and collect assessments during fiscal year 2015-2016 pursuant to Division 15 of the Streets and Highways Code of the State of California, known as the "Landscaping and Lighting Act of 1972," on that area

designated "City of Brea Lighting Assessment District No. 2," an area encompassed by Final Tracts Nos. 9227, 9228 and 8857 and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

4. A general description of the improvements proposed for the aforementioned district is as follows:

The maintenance and possible future replacement of lighting and any facilities which are appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof, including grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, or water, irrigation, drainage, or electrical facilities. Said maintenance and servicing of said lighting shall be in the area of Tract No. 9227, 9228 and 8857.

5. Reference hereby is made to the report of the Director of Public Works relating to the said assessment district herein above approved. Said report is on file with the City Clerk of the City of Brea and contains a full and detailed description of the improvements, the boundaries of the assessment district and contains the proposed assessments upon assessable lots and parcels of land within City of Brea Lighting Assessment District No. 2 for fiscal year 2015-2016. Said proposed assessment per lot is in the amount of \$18.50.

6. This Council hereby fixes 7:00 p.m. on May 19, 2015, in the Council Chambers, Brea Civic and Cultural Center, 1 Civic Center Circle, Brea, California, as the time and place for a hearing before this Council on the question of the levy of the proposed assessments on City of Brea Lighting Assessment District No. 2 for fiscal year 2015-2016

and hereby gives notice of said hearing.

7. The City Clerk shall do the following:

a. Certify to the adoption of this Resolution;

b. Cause a true and correct copy of this Resolution to be published once

in a newspaper of general circulation located within the City of Brea at least ten days prior to May 19, 2015.

APPROVED AND ADOPTED this 21st day of April, 2015.

Mayor

ATTEST: _____
Acting City Clerk

I, Crystal Martinez, Acting City Clerk of the City of Brea, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Brea held on the 21st day of April, 2015, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAINED: COUNCIL MEMBERS:

DATED: _____

Acting City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

LIGHTING ASSESSMENT DISTRICT NO. 2

THE BOUNDARIES OF LIGHTING ASSESSMENT DISTRICT NO. 2 IS DESCRIBED AS "BEING THE BOUNDARY OF ANNEXATION NO. 8-74 TO THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA," ALSO BEING ALL THE PROPERTIES LOCATED WITHIN THE TRACT BOUNDARY OF TRACT NO. 9227 RECORDED IN BOOK 392, PAGES 5 THROUGH 12; TRACT NO. 9228 RECORDED IN BOOK 428, PAGES 32 THROUGH 38; AND TRACT NO. 8857 RECORDED IN BOOK 464, PAGES 38 THROUGH 44, ALL OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREA APPROVING THE REPORT FILED PURSUANT TO SECTION 22623 OF THE STREETS AND HIGHWAYS CODE WITH RESPECT TO CITY OF BREA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 3 AND FIXING AND GIVING NOTICE OF A TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY OF AN ASSESSMENT ON SAID DISTRICT FOR FISCAL YEAR 2015-2016

A. RECITALS:

(i) This Council heretofore adopted a resolution creating City of Brea Landscape and Lighting Assessment District No. 3 pursuant to Division 15 of the California Streets and Highways Code.

(ii) The Director of Public Works has prepared, filed with the City Clerk and presented to this Council a report relating to said assessment pursuant to the provisions of Section 22623 of the California Streets and Highways Code.

B. RESOLUTION:

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Brea as follows:

1. In all respects as set forth in the Recitals, Part A, of this Resolution.
2. The above-described report submitted by the Director of Public Works relating to City of Brea Landscape and Lighting Assessment District No. 3 is hereby approved as filed.
3. This Council hereby declares its intention to levy and collect assessments

during fiscal year 2015-2016 pursuant to Division 15 of the Streets and Highways Code of the State of California, known as the "Landscape and Lighting Act of 1972," on that area designated "City of Brea Landscape and Lighting District Assessment No. 3," an area encompassed by Final Tract No. 8242 and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

4. A general description of the improvements proposed for the aforementioned district is as follows:

The maintenance and possible future replacement of lighting, landscaping and any facilities which are appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof, including grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, or water, irrigation, drainage, or electrical facilities. Said maintenance and servicing of said lighting shall be in the area of Tract No. 8242. Said landscaping and related facilities shall be in the lettered lots, common parking bays and related planters within Final Tract No. 8242.

5. Reference hereby is made to the report of the Director of Public Works relating to the said assessment district herein above approved. Said report is on file with the City Clerk of the City of Brea and contains a full and detailed description of the improvements, the boundaries of the assessment district and contains the proposed assessments upon assessable lots and parcels of land within City of Brea Landscape and Lighting Assessment District No. 3 for fiscal year 2015-2016. Said proposed assessment per lot is in the amount of \$449.49.

6. This Council hereby fixes 7:00 p.m. on May 19, 2015, in the Council

Chambers, Brea Civic and Cultural Center, 1 Civic Center Circle, Brea, California, as the time and place for a hearing before this Council on the question of the levy of the proposed assessments on City of Brea Landscape and Lighting Assessment District No. 3 for fiscal year 2015-2016 and hereby gives notice of said hearing.

7. The City Clerk shall do the following:

a. Certify to the adoption of this Resolution;

b. Cause a true and correct copy of this Resolution to be published once in a newspaper of general circulation located within the City of Brea at least ten days prior to May 19, 2015.

APPROVED AND ADOPTED this 21st day of April, 2015.

Mayor

ATTEST: _____
Acting City Clerk

I, Crystal Martinez, Acting City Clerk of the City of Brea, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Brea held on the 21st day of April, 2015, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAINED: COUNCIL MEMBERS:

DATED: _____

Acting City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 3

LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 3 INCLUDES ALL OF THE PROPERTIES IN THE CITY OF BREA LOCATED WITHIN THE TRACT BOUNDARY OF TRACT NO. 8242 RECORDED IN BOOK 428, PAGES 19 THROUGH 24 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREA APPROVING THE REPORT FILED PURSUANT TO SECTION 22623 OF THE STREETS AND HIGHWAYS CODE WITH RESPECT TO CITY OF BREA LIGHTING ASSESSMENT DISTRICT NO. 4 AND FIXING AND GIVING NOTICE OF A TIME AND PLACE FOR A PUBLIC HEARING OF THE LEVY OF AN ASSESSMENT ON SAID DISTRICT FOR FISCAL YEAR 2015-2016

A. RECITALS:

(i) This Council heretofore adopted a resolution creating City of Brea Lighting Assessment District No. 4 pursuant to Division 15 of the California Streets and Highways Code.

(ii) The Director of Public Works has prepared, filed with the City Clerk and presented to this Council a report relating to said assessment pursuant to the provisions of Section 22623 of the California Streets and Highways Code.

B. RESOLUTION:

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Brea as follows:

1. In all respects as set forth in the Recitals, Part A, of this Resolution.
2. The above-described report submitted by the Director of Public Works relating to City of Brea Lighting Assessment District No. 4 is hereby approved as filed.
3. This Council hereby declares its intention to levy and collect assessments during fiscal year 2015-2016 pursuant to Division 15 of the Streets and Highways Code of the State of California, known as the "Landscaping and Lighting Act of 1972," on that area

designated "City of Brea Lighting District No. 4," an area encompassed by Final Tracts Nos. 10224, 10324, 10325, 10327 and 9298 and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

4. A general description of the improvements proposed for the aforementioned district is as follows:

The maintenance and possible future replacement of lighting, and any facilities which are appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof, including grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, or water, irrigation, drainage, or electrical facilities. Said maintenance and servicing of said lighting shall be in the area of Tract Nos. 10224, 10324, 10325, 10326, 10327, and 9298.

5. Reference hereby is made to the report of the Director of Public Works relating to the said assessment district herein above approved. Said report is on file with the City Clerk of the City of Brea and contains a full and detailed description of the improvements, the boundaries of the assessment district and contains the proposed assessments upon assessable lots and parcels of land within City of Brea Lighting District No. 4 for fiscal year 2015-2016. Said proposed assessment per lot is in the amount of \$12.00.

6. This Council hereby fixes 7:00 p.m. on May 19, 2016, in the Council Chambers, Brea Civic and Cultural Center, 1 Civic Center Circle, Brea, California, as the time and place for a hearing before this Council on the question of the levy of the proposed assessments on City of Brea Lighting Assessment District No. 4 for fiscal year 2015-2016

and hereby gives notice of said hearing.

7. The City Clerk shall do the following:

a. Certify to the adoption of this Resolution;

b. Cause a true and correct copy of this Resolution to be published once in a newspaper of general circulation located within the City of Brea at least ten days prior to May 19, 2015.

APPROVED AND ADOPTED this 21st day of April, 2015.

Mayor

ATTEST: _____
Acting City Clerk

I, Crystal Martinez, Acting City Clerk of the City of Brea, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Brea held on the 21st day of April, 2015, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAINED: COUNCIL MEMBERS:

DATED: _____

Acting City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

LIGHTING ASSESSMENT DISTRICT NO. 4

LIGHTING ASSESSMENT DISTRICT NO. 4 INCLUDES ALL THE PROPERTIES LOCATED IN THE CITY OF BREA WITHIN TRACT NO. 10224 AS SHOWN ON A MAP RECORDED IN BOOK 436, PAGES 13 THROUGH 16 INCLUSIVE, TRACT NO. 10324 AS SHOWN ON A MAP RECORDED IN BOOK 447, PAGES 3 THROUGH 5 INCLUSIVE, TRACT NO. 10325 AS SHOWN ON A MAP RECORDED IN BOOK 461, PAGES 9 THROUGH 12 INCLUSIVE, TRACT NO. 10326 AS SHOWN ON A MAP RECORDED IN BOOK 461, PAGES 13 THROUGH 16 INCLUSIVE, TRACT NO. 10327 AS SHOWN ON A MAP RECORDED IN BOOK 461, PAGES 17 THROUGH 20 INCLUSIVE, AND TRACT NO. 9298 AS SHOWN ON A MAP RECORDED IN BOOK 476, PAGES 5 THROUGH 7 INCLUSIVE, ALL OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREA APPROVING THE REPORT FILED PURSUANT TO SECTION 22623 OF THE STREETS AND HIGHWAYS CODE WITH RESPECT TO CITY OF BREA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 5 AND FIXING AND GIVING NOTICE OF A TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY OF AN ASSESSMENT ON SAID DISTRICT FOR FISCAL YEAR 2015-2016

A. RECITALS:

(i) This Council heretofore adopted a resolution creating City of Brea Landscape and Lighting Assessment District No. 5 pursuant to Division 15 of the California Streets and Highways Code.

(ii) The Director of Public Works has prepared, filed with the City Clerk and presented to this Council a report relating to said assessment pursuant to the provisions of Section 22623 of the California Streets and Highways Code.

B. RESOLUTION:

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Brea as follows:

1. In all respects as set forth in the Recitals, Part A, of this Resolution.
2. The above-described report submitted by the Director of Public Works relating to City of Brea Landscape and Lighting Assessment District No. 5 is hereby approved as filed.
3. This Council hereby declares its intention to levy and collect assessments during fiscal year 2015-2016 pursuant to Division 15 of the Streets and Highways Code of the State of California, known as the "Landscape and Lighting Act of 1972," on that area

designated "City of Brea Landscape and Lighting Assessment District No. 5," an area encompassed by Final Tract Nos. 9111, 9414, & 9473 and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

4. A general description of the improvements proposed for the aforementioned district is as follows:

The maintenance and possible future replacement of lighting, landscaping and any facilities which are appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof, including grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, or water, irrigation, drainage, or electrical facilities. Said maintenance and servicing of said lighting shall be in the area of Tract Nos. 9111, 9414 and 9473. Said landscaping and related facilities shall be in the lettered lots, common parking bays and related planters within Final Tract Nos. 9111, 9414, and 9473.

5. Reference hereby is made to the report of the Director of Public Works relating to the said assessment district herein above approved. Said report is on file with the City Clerk of the City of Brea and contains a full and detailed description of the improvements, the boundaries of the assessment district and contains the proposed assessments upon assessable lots and parcels of land within City of Brea Landscape and Lighting Assessment District No. 5 for fiscal year 2015-2016. Said proposed assessment per lot is in the amount of \$786.54, as detailed in said report of the Director of Public Works.

6. This Council hereby fixes 7:00 p.m. on May 19, 2015, in the Council Chambers, Brea Civic and Cultural Center, 1 Civic Center Circle, Brea, California, as the time and place for a hearing before this Council on the question of the levy of the proposed

assessments on City of Brea Landscape and Lighting Assessment District No. 5 for fiscal year 2015-16 and hereby gives notice of said hearing.

7. The City Clerk shall do the following:

a. Certify to the adoption of this Resolution;

b. Cause a true and correct copy of this Resolution to be published once in a newspaper of general circulation located within the City of Brea at least ten days prior to May 19, 2015.

APPROVED AND ADOPTED this 21st day of April, 2015.

Mayor

ATTEST: _____
Acting City Clerk

I, Crystal Martinez, Acting City Clerk of the City of Brea, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Brea held on the 21st day of April, 2015, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAINED: COUNCIL MEMBERS:

DATED: _____

Acting City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 5

LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 5 INCLUDES ALL THE PROPERTIES IN THE CITY OF BREA LOCATED WITHIN THE TRACT BOUNDARY OF TRACT NO. 9111 RECORDED IN BOOK 374, PAGES 24, 25 AND 26 OF TRACT NO. 9414 RECORDED IN BOOK 409, PAGES 8 AND 9, AND OF TRACT NO. 9473 RECORDED IN BOOK 291, PAGES 26, 27 AND 28, ALL OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREA APPROVING THE REPORT FILED PURSUANT TO SECTION 22623 OF THE STREETS AND HIGHWAYS CODE WITH RESPECT TO CITY OF BREA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 6 AND FIXING AND GIVING NOTICE OF A TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY OF AN ASSESSMENT ON SAID DISTRICT FOR FISCAL YEAR 2015-2016

A. RECITALS:

(i) This Council heretofore adopted a resolution creating City of Brea Landscape and Lighting Assessment District No. 6 pursuant to Division 15 of the California Streets and Highways Code.

(ii) The Director of Public Works has prepared, filed with the City Clerk and presented to this Council a report relating to said assessment pursuant to the provisions of Section 22623 of the California Streets and Highways Code.

B. RESOLUTION:

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Brea as follows:

1. In all respects as set forth in the Recitals, Part A, of this Resolution.
2. The above-described report submitted by the Director of Public Works relating to City of Brea Landscape and Lighting Assessment District No. 6 is hereby approved as filed.
3. This Council hereby declares its intention to levy and collect assessments during fiscal year 2015-2016 pursuant to Division 15 of the Streets and Highways Code of

the State of California, known as the "Landscape and Lighting Act of 1972," on that area designated "City of Brea Landscape and Lighting Assessment District No. 6," an area encompassed by Final Tract Nos. 8820, 9531, and 9532, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

4. A general description of the improvements proposed for the aforementioned district is as follows:

The maintenance and possible future replacement of lighting, landscaping and any facilities which are appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof, including grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, or water, irrigation, drainage, or electrical facilities. Said maintenance and servicing of said lighting shall be in the area of Tract Nos. 8820, 9531, and 9532. Said landscaping and related facilities shall be in the lettered lots, common parking bays and related planters within Final Tract Nos. 8820, 9531, and 9532.

5. Reference hereby is made to the report of the Director of Public Works relating to the said assessment district herein above approved. Said report is on file with the City Clerk of the City of Brea and contains a full and detailed description of the improvements, the boundaries of the assessment district and contains the proposed assessments upon assessable lots and parcels of land within City of Brea Landscape and Lighting Assessment District No. 6 for fiscal year 2015-2016. Said proposed assessment per lot is in the amount of \$1350.00, as detailed in said report of the Director of Public Works.

6. This Council hereby fixes 7:00 p.m. on May 19, 2015, in the Council Chambers, Brea Civic and Cultural Center, 1 Civic Center Circle, Brea, California, as the time and place for a hearing before this Council on the question of the levy of the proposed assessments on City of Brea Landscape and Lighting Assessment District No. 6 for fiscal year 2015-2016 and hereby gives notice of said hearing.

7. The City Clerk shall do the following:

- a. Certify to the adoption of this Resolution;
- b. Cause a true and correct copy of this Resolution to be published once in a newspaper of general circulation located within the City of Brea at least ten days prior to May 19, 2015.

APPROVED AND ADOPTED this 21st day of April, 2015.

Mayor

ATTEST: _____
Acting City Clerk

I, Crystal Martinez, Acting City Clerk of the City of Brea, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Brea held on the 21st day of April, 2015, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAINED: COUNCIL MEMBERS:

DATED: _____

Acting City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 6

LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 6 INCLUDES ALL THE PROPERTIES IN THE CITY OF BREA LOCATED WITHIN THE TRACT BOUNDARY OF TRACT NO. 8820, RECORDED IN BOOK 454, PAGES 19 THROUGH 24 INCLUSIVE, TRACT NO. 9531, RECORDED IN BOOK 423, PAGES 24 THROUGH 28 INCLUSIVE, AND TRACT NO. 9532 RECORDED IN BOOK 454, PAGES 25 THROUGH 28, ALL OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREA APPROVING THE REPORT FILED PURSUANT TO SECTION 22623 OF THE STREETS AND HIGHWAYS CODE WITH RESPECT TO CITY OF BREA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 7 AND FIXING AND GIVING NOTICE OF A TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY OF AN ASSESSMENT ON SAID DISTRICT FOR FISCAL YEAR 2015-2016

A. RECITALS:

(i) This Council heretofore adopted a resolution creating City of Brea Landscape and Lighting Assessment District No. 7 pursuant to Division 15 of the California Streets and Highways Code.

(ii) The Director of Public Works has prepared, filed with the City Clerk and presented to this Council a report relating to said assessment pursuant to the provisions of Section 22623 of the California Streets and Highways Code.

B. RESOLUTION:

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Brea as follows:

1. In all respects as set forth in the Recitals, Part A, of this Resolution.
2. The above-described report submitted by the Director of Public Works relating to City of Brea Landscape and Lighting Assessment District No. 7 is hereby approved as filed.
3. This Council hereby declares its intention to levy and collect assessments during fiscal year 2015-2016 pursuant to Division 15 of the Streets and Highways Code of

the State of California, known as the "Landscape and Lighting Act of 1972," on that area designated "City of Brea Landscape and Lighting Assessment District No. 7," an area encompassed by Final Tract Nos. 14658, 14657, 15070 and 14656, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

4. A general description of the improvements proposed for the aforementioned district is as follows:

The maintenance and possible future replacement of lighting, landscaping and any facilities which are appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof, including grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, or water, irrigation, drainage, or electrical facilities. Said maintenance and servicing of said lighting shall be in the area of Tract Nos. 14658, 14657, 15070 and 14656. Said landscaping and related facilities shall be in the lettered lots, common parking bays and related planters within Final Tract Nos. 14658, 14657, 15670 and 14656.

5. Reference hereby is made to the report of the Director of Public Works relating to the said assessment district herein above approved. Said report is on file with the City Clerk of the City of Brea and contains a full and detailed description of the improvements, the boundaries of the assessment district and contains the proposed assessments upon assessable lots and parcels of land within City of Brea Landscape and Lighting Assessment District No. 7 for fiscal year 2015-2016. Said proposed assessment per lot is in the amount of \$253.05, as detailed in said report of the Director of Public Works.

6. This Council hereby fixes 7:00 p.m. on May 19, 2015, in the Council Chambers, Brea Civic and Cultural Center, 1 Civic Center Circle, Brea, California, as the time and place for a hearing before this Council on the question of the levy of the proposed assessments on City of Brea Landscape and Lighting Assessment District No. 7 for fiscal year 2015-2016 and hereby gives notice of said hearing.

7. The City Clerk shall do the following:

a. Certify to the adoption of this Resolution;

b. Cause a true and correct copy of this Resolution to be published once in a newspaper of general circulation located within the City of Brea at least ten days prior to May 19, 2015.

APPROVED AND ADOPTED this 21st day of April, 2015.

Mayor

ATTEST: _____
Acting City Clerk

I, Crystal Martinez, Acting City Clerk of the City of Brea, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Brea held on the 21st day of April, 2015, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAINED: COUNCIL MEMBERS:

DATED: _____

Acting City Clerk

EXHIBIT "A"

LEGAL DESCRIPTION

LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 7

LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 7 INCLUDES ALL THE PROPERTIES IN THE CITY OF BREA LOCATED WITHIN THE TRACT BOUNDARY OF TRACT NO. 14656, RECORDED IN BOOK 746, PAGES 47 THROUGH 49 INCLUSIVE, TRACT NO. 14658, RECORDED IN BOOK 724, PAGES 9 THROUGH 11 INCLUSIVE, TRACT NO. 14657 RECORDED IN BOOK 733, PAGES 15 THROUGH 17 INCLUSIVE, TRACT NO. 15070, RECORDED IN BOOK 738, PAGES 27 THROUGH 30 INCLUSIVE, ALL OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

**Landscape and Lighting
Maintenance District
No. 1
City of Brea**

Prepared under the authority of the
Landscape and Lighting Act of 1972
Streets and Highways Code
State of California

Fiscal Year 2015-16

Submitted by:

Eric Nicoll
Director of Public Works

April 21, 2015

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City of Brea

April 21, 2015

Honorable Mayor and City Council
City of Brea
1 Civic Center Circle
Brea, CA 92821-5732

Re: Engineer's Report, Landscape & Lighting Maintenance District No. 1

Transmitted herewith for your review and consideration is a report entitled, "Landscape and Lighting Maintenance District No. 1, City of Brea."

This report has been prepared in accordance with the Landscape and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code. The report includes all the requirements of the Landscape and Lighting Act of 1972 and the Streets and Highways Code, with particular reference to annual assessments after formation thereof of the District.

The report is submitted herewith for consideration at your next meeting to set a hearing date for the purpose of levying an annual assessment (Streets and Highways Code, Section 22620 to Section 22631).

Respectfully submitted,

Eric Nicoll, Director
Public Works Department

p:\maintenance\maint districts\assessment 15-16\lmd1 1516.doc

City Council

Marty Simonoff
Mayor

Christine Marick
Mayor Pro Tem

Cecilia Hupp
Council Member

Glenn Parker
Council Member

Steven Vargas
Council Member

Civic & Cultural Center • 1 Civic Center Circle • Brea, California 92821-5732 • 714/990-7600 • FAX 714/990-2258 • www.cityofbrea.net

Introduction and Background

Introduction:

This report has been prepared and is submitted for consideration by the City Council of the City of Brea under the authority of the Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code.

Background:

The City Council of the City of Brea adopted and approved Resolution Nos. 82-57 and 82-58 detaching certain territory from Landscape and Lighting Maintenance District No. 1 adopted by Resolution No. 76-74 and adopted Resolution No. 82-59 creating amended Maintenance District No. 1 in the City of Brea.

The creating of Lighting and Maintenance District No. 1 in the City of Brea was a requirement of the City of Brea for the development of Tentative Tract No. 8820, known as the "Canyon Country" development project. The amended Landscape and Lighting Maintenance District No. 1 was subsequently formed June 1, 1982 by Resolution No. 82-59.

The formation of the amended district and the levy of the first annual assessment was completed in accordance with the requirements of the Landscaping and Lighting Act of 1972 on June 1, 1982.

The purpose of this report is to be utilized by the City Staff, the City Council, and the County Assessor in the levy and collection of an annual assessment after formation of an assessment district under the requirements of the Landscaping and Lighting Act of 1972 (State of California and Highways Code, Section 22620 to 22631).

PART A PLANS AND SPECIFICATIONS

The facilities, which consist of greenbelt areas and theme lighting, will be operated, serviced and maintained as generally described as follows:

Landscaping and Appurtenant Facilities

Facilities include but are not limited to: landscaping, planting, shrubbery, trees, irrigation systems, hardscapes, fixtures, sidewalk maintenance resulting from landscape growth and appurtenant facilities, in public street and sidewalk rights-of-way, including medians, parkways and dedicated easements within the boundaries of the Assessment District.

Lighting, Traffic Signals and Appurtenant Facilities

Facilities include but are not limited to: Poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting and traffic signals in public street and sidewalk rights-of-way and dedicated easements within the boundaries of the Assessment District.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping, public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

Servicing means the furnishing of water for the irrigation of the landscaping and the maintenance of any of the public lighting facilities or appurtenant facilities and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or operation of the landscaping or appurtenant facilities.

The plans and specifications for the improvements, showing and describing the general nature, location, and the extent of the improvements, are on file in the office of the Director of Public Works and are incorporated herein by reference.

PART B ESTIMATE OF COST

The estimated cost of the operation, servicing and maintenance of the street and sidewalk improvements for Fiscal Year 2015-16, as described in Part A, are summarized herein and described below.

MAINTENANCE DISTRICT # 1 - ANNUAL COST FACTORS

Acct #	Description	FY 15-16 Est. Expenses
1. Fixed Costs		
4111	Salaries & Benefits	\$11,810
4113	Overtime	\$100
4243	Engineering	\$0
4244	Legal	\$0
4412	Property Tax Collection	\$180
Fixed Costs Totals		\$12,090
2. ROUTINE COSTS		
4211	Postage	\$100
4249	Svc & Repair Equipment	\$4,000
4266	Contract Services/Grounds Maintenance	\$20,165
4282	Electric	\$2,000
4285	Water	\$21,200
4337	Electrical Supplies & Parts	\$250
4441	Miscellaneous Expense	\$0
5800	Insurance and Other Expenses	\$1,575
Routine Costs Totals		\$49,290
Total Costs (Fixed & Routine)		\$61,380
Est. Fund Balance as of 1-Jul-2015		\$21,182
Projected Reserve Balance 30-Jun-2016		\$15,731
FY 2015-16 Annual Assessments		\$55,929

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the Districts. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the Districts by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.

PART C METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by cities for the purpose of providing certain public improvements which include construction, operation, maintenance and servicing of street lights, traffic signals and landscaping.

Section 22573 of the Landscaping and Lighting Act of 1972 (the 1972 Act) requires that maintenance assessments be levied according to benefit rather than according to assessed value. This section states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

The 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements." (Sec. 22574). Thus, the 1972 Act requires the levy of a true "assessment" based on the actual benefit rather than a "special tax."

ASSESSMENT METHODOLOGY

The parcels of land in the District are single family residential (SFR) lots, with each of these lots benefiting equally from the improvements being maintained. Therefore, the costs associated with the landscaping and lighting within and directly adjacent to the tract will be apportioned on a residential lot basis as follows:

$$\$55,929 / 103 \text{ SFR's} = \$543.00 / \text{SFR}$$

PART D ASSESSMENT ROLL

The amount of the total proposed assessment for Fiscal Year 2015-16 apportioned to each lot or parcel within the District, as shown on the latest assessment roll at the Orange County Assessor's Office, is contained in the Assessment Roll provided below.

The description of each lot or parcel is part of the Orange County assessment roll and this roll is, by reference, made part of this Report.

AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt
1	31920129	1	9121	\$543.00	36	31921217	8	9342	\$543.00	71	31921328	39	9341	\$543.00
2	31920128	2	9121	\$543.00	37	31921216	9	9342	\$543.00	72	31921329	40	9341	\$543.00
3	31920127	3	9121	\$543.00	38	31921201	10	9342	\$543.00	73	31921330	41	9341	\$543.00
4	31920126	4	9121	\$543.00	39	31921202	11	9342	\$543.00	74	31921331	42	9341	\$543.00
5	31920125	5	9121	\$543.00	40	31921203	12	9342	\$543.00	75	31921327	1	9341	\$543.00
6	31920124	6	9121	\$543.00	41	31921204	13	9342	\$543.00	76	31921328	2	9341	\$543.00
7	31920123	7	9121	\$543.00	42	31921205	14	9342	\$543.00	77	31921329	3	9341	\$543.00
8	31920122	8	9121	\$543.00	43	31921206	15	9342	\$543.00	78	31921330	4	9341	\$543.00
9	31920121	9	9121	\$543.00	44	31921207	16	9342	\$543.00	79	31921331	5	9341	\$543.00
10	31920120	10	9121	\$543.00	45	31921208	17	9342	\$543.00	80	31921332	6	9341	\$543.00
11	31920119	11	9121	\$543.00	46	31921209	18	9342	\$543.00	81	31921333	7	9341	\$543.00
12	31920118	12	9121	\$543.00	47	31921210	19	9342	\$543.00	82	31921334	8	9341	\$543.00
13	31920117	13	9121	\$543.00	48	31921212	20	9342	\$543.00	83	31921335	9	9341	\$543.00
14	31920116	14	9121	\$543.00	49	31921211	21	9342	\$543.00	84	31921336	10	9341	\$543.00
15	31920115	15	9121	\$543.00	50	31921213	22	9342	\$543.00	85	31921337	11	9341	\$543.00
16	31920114	16	9121	\$543.00	51	31921214	23	9342	\$543.00	86	31921338	12	9341	\$543.00
17	31920113	17	9121	\$543.00	52	31921215	24	9342	\$543.00	87	31921339	13	9341	\$543.00
18	31920112	18	9121	\$543.00	53	31921101	25	9342	\$543.00	88	31921306	14	9341	\$543.00
19	31920111	19	9121	\$543.00	54	31921102	26	9342	\$543.00	89	31921305	15	9341	\$543.00
20	31920110	20	9121	\$543.00	55	31921103	27	9342	\$543.00	90	31921304	16	9341	\$543.00
21	31920109	21	9121	\$543.00	56	31921104	28	9342	\$543.00	91	31921303	17	9341	\$543.00
22	31920108	22	9121	\$543.00	57	31921105	29	9342	\$543.00	92	31921302	18	9341	\$543.00
23	31920107	23	9121	\$543.00	58	31921106	30	9342	\$543.00	93	31921301	19	9341	\$543.00
24	31920106	24	9121	\$543.00	59	31921107	31	9342	\$543.00	94	31921317	20	9341	\$543.00
25	31920105	25	9121	\$543.00	60	31921108	32	9342	\$543.00	95	31921316	21	9341	\$543.00
26	31920104	26	9121	\$543.00	61	31921109	33	9342	\$543.00	96	31921315	22	9341	\$543.00
27	31920103	27	9121	\$543.00	62	31921319	30	9341	\$543.00	97	31921314	23	9341	\$543.00
28	31920102	28	9121	\$543.00	63	31921320	31	9341	\$543.00	98	31921313	24	9341	\$543.00
29	31921224	1	9342	\$543.00	64	31921321	32	9341	\$543.00	99	31921312	25	9341	\$543.00
30	31921223	2	9342	\$543.00	65	31921322	33	9341	\$543.00	100	31921311	26	9341	\$543.00
31	31921222	3	9342	\$543.00	66	31921323	34	9341	\$543.00	101	31921310	27	9341	\$543.00
32	31921221	4	9342	\$543.00	67	31921324	35	9341	\$543.00	102	31921308	28	9341	\$543.00
33	31921220	5	9342	\$543.00	68	31921325	36	9341	\$543.00	103	31921309	29	9341	\$543.00
34	31921219	6	9342	\$543.00	69	31921326	37	9341	\$543.00					
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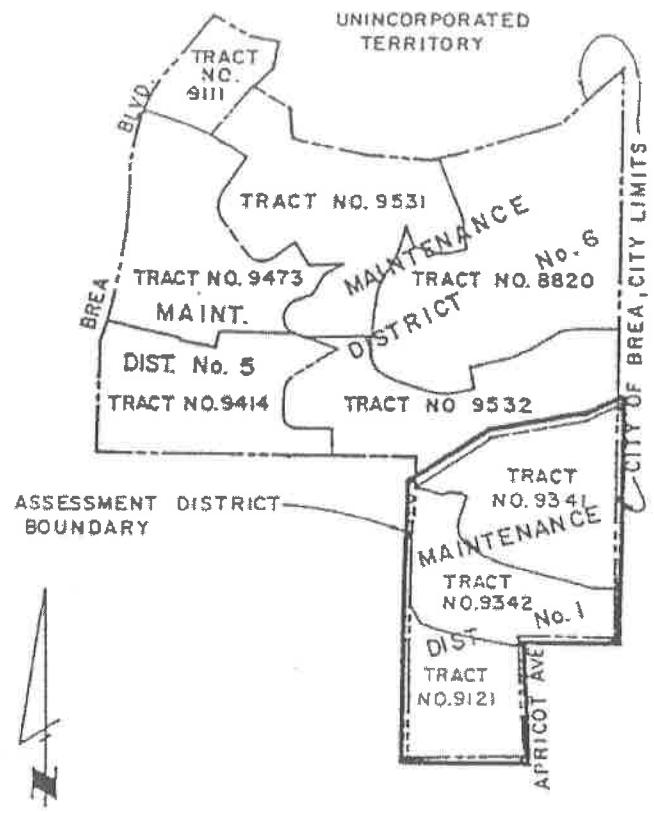
PART E ASSESSMENT DISTRICTS' BOUNDARIES

A diagram of the boundaries of Landscape and Lighting Maintenance District No. 1 is included herein.

District No. 1 is generally located east, north of State College Boulevard, adjacent to Fanning School, and includes Tract Nos. 9121, 9341 and 9342.

District No. 1 includes all of the properties in the City of Brea located within the tract boundary of Tract No. 9121 recorded in Book 378, Pages 49 and 50; Tract No. 9341 recorded in Book 395, Pages 28, 29 and 30; and of Tract No. 9342 recorded in Book 386, Pages 41, 42 and 43, all of Miscellaneous Maps, records of Orange County, California.

Also, the lines and dimensions of each lot or parcel within the Districts are those lines and dimensions shown on the maps of the Assessor of the County of Orange for Fiscal Year 2015-16. The Assessor's maps and records are incorporated by reference herein and made part of this report.



SCALE : 1" = 600'

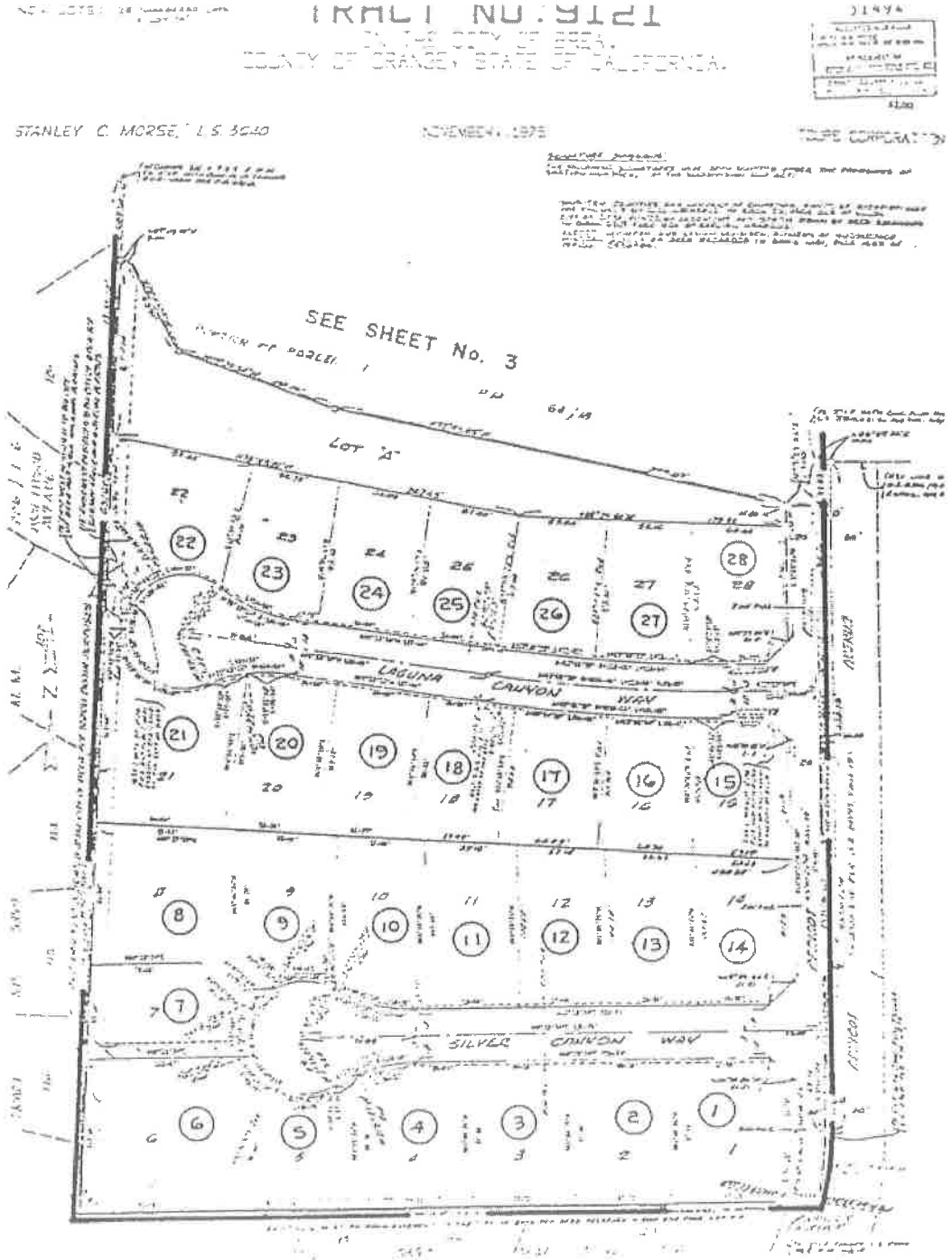
LEGEND

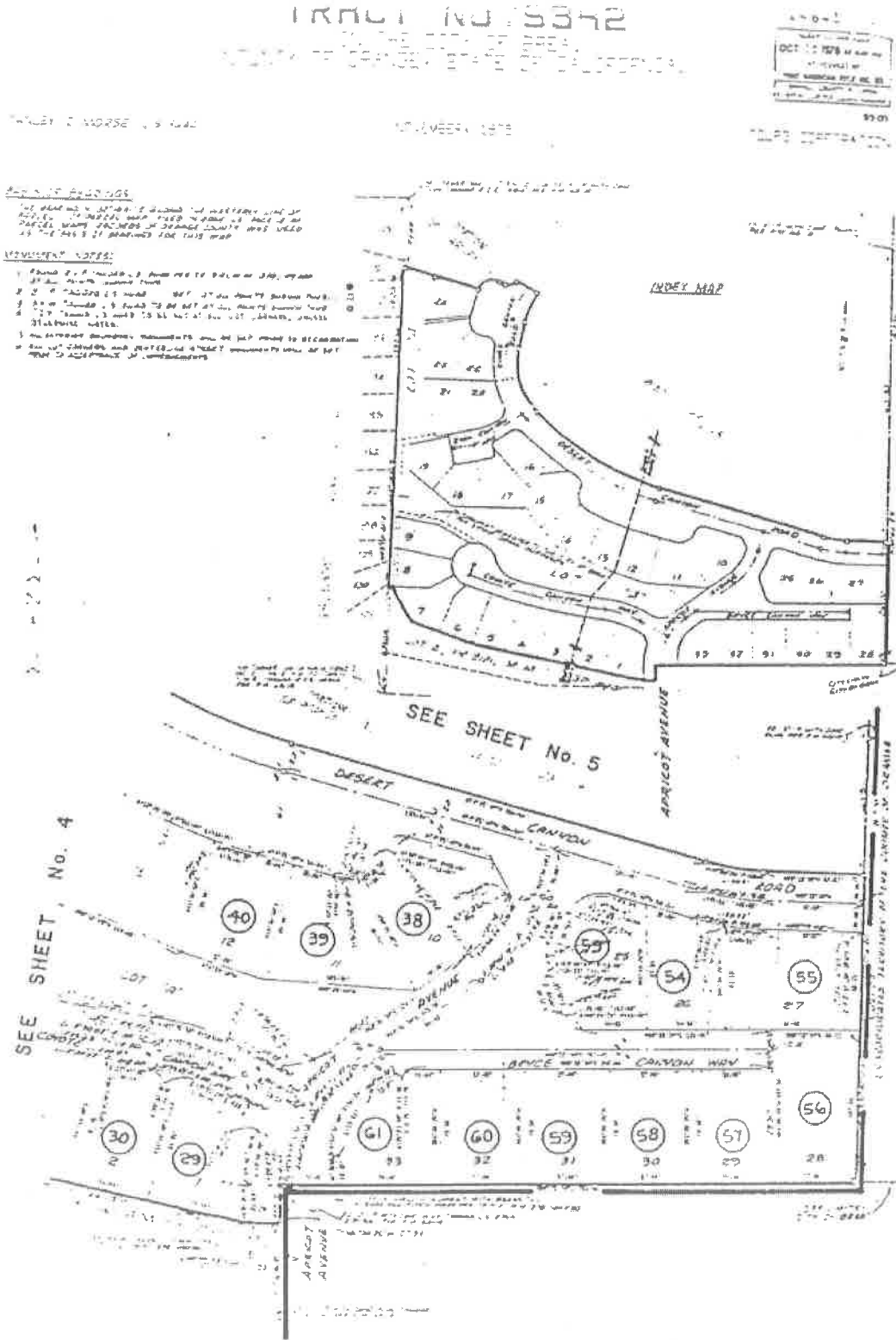
	ASSESSMENT DISTRICT BOUNDARY
	TRACT BOUNDARY
	ASSESSMENT DISTRICT NUMBER
	TRACT LOT NUMBER

103 PARCELS

SHEET 1 OF

ASSESSMENT DIAGRAM
LIGHTING & MAINTENANCE
ASSESSMENT DISTRICT NO. 1
 IN THE CITY OF BREa, COUNTY OF ORANGE, STATE OF CALIFORNIA

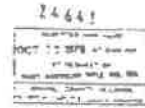




103 PARCELS SHEET 3 OF 6

ASSESSMENT DIAGRAM
 LIGHTING & MAINTENANCE
 ASSESSMENT DISTRICT NO. 1
 IN THE CITY OF BREa, COUNTY OF ORANGE, STATE OF CALIFORNIA

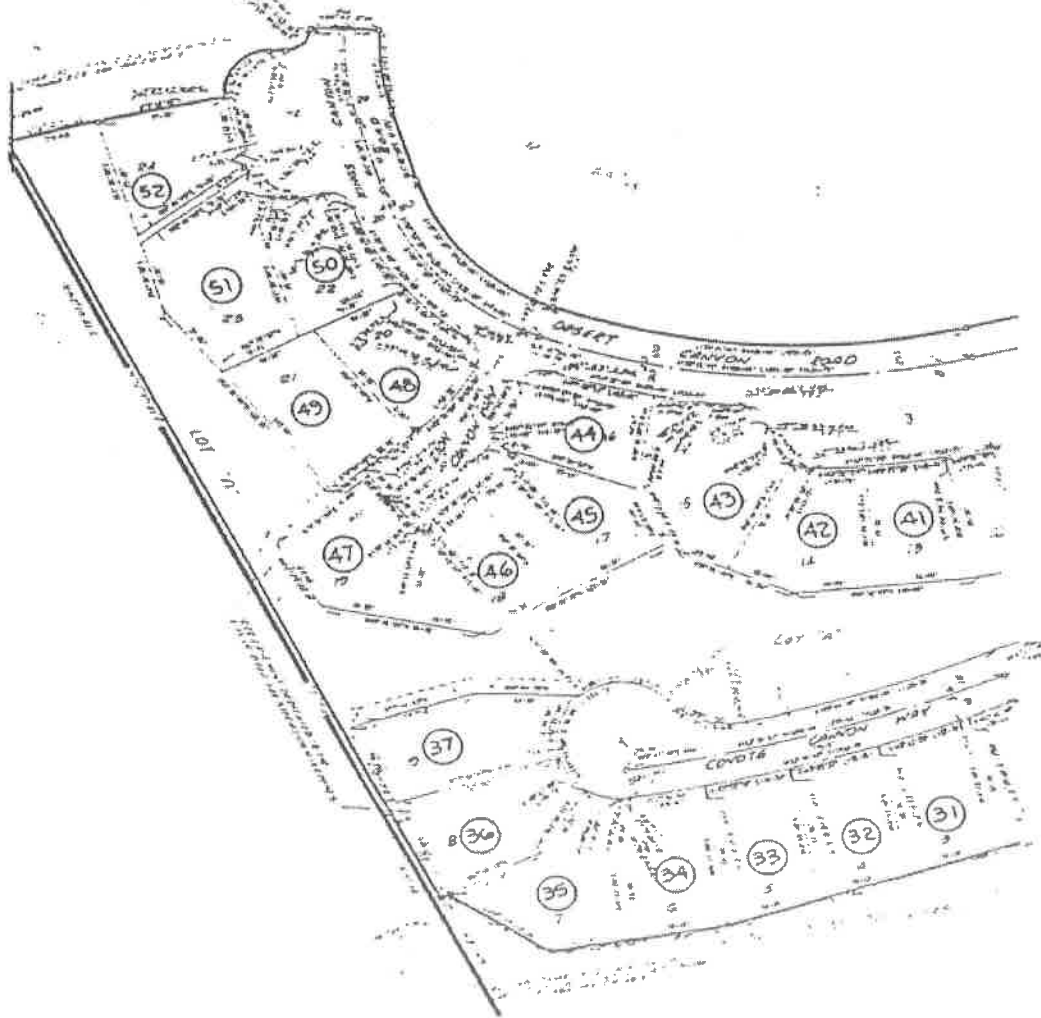
TRACT NO. 9342



NOVEMBER 1978

TRUPE CORPORATION

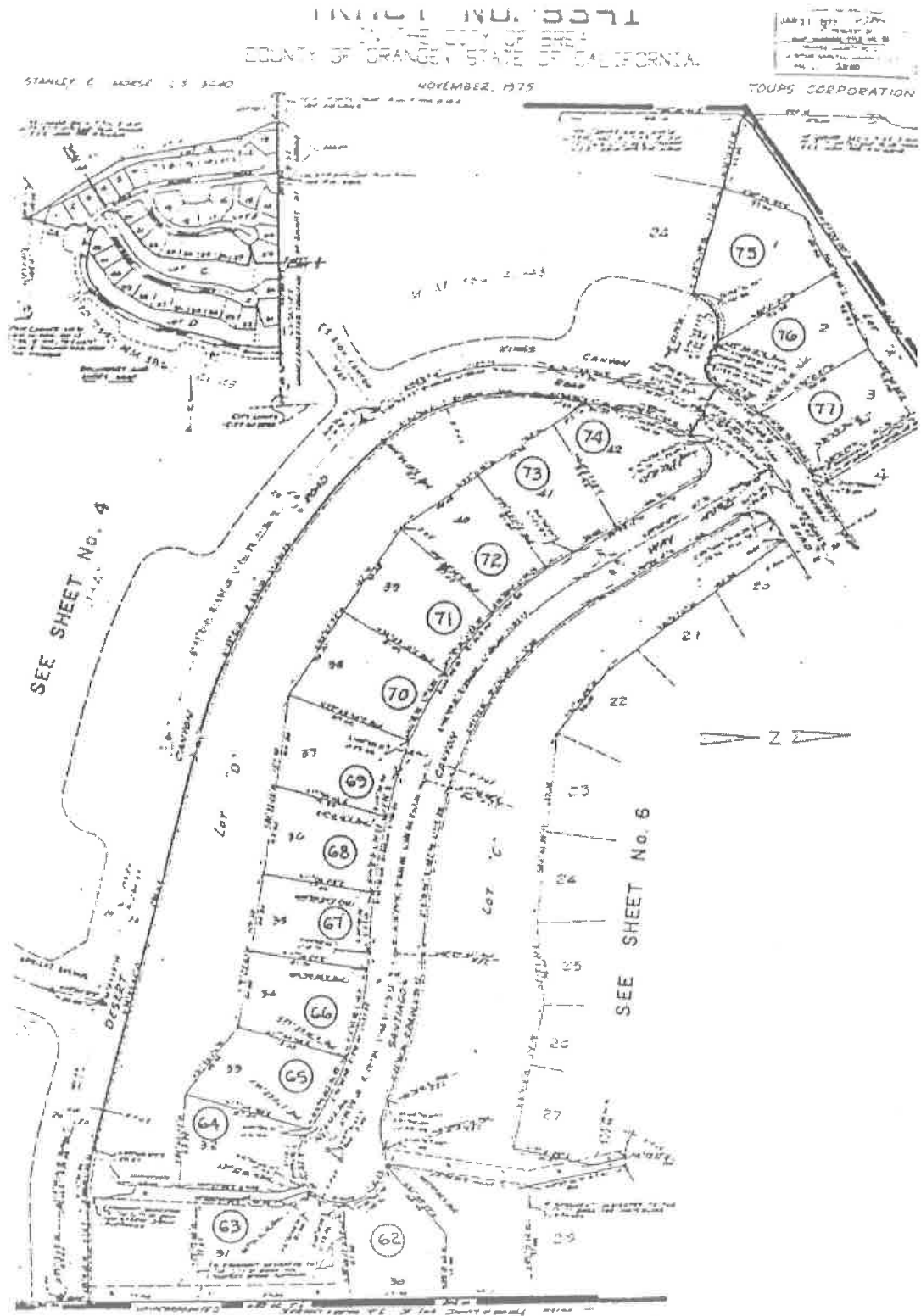
SEE SHEET No. 5



103 PARCELS

SHEET 4 OF 6

ASSESSMENT DIAGRAM
LIGHTING & MAINTENANCE
ASSESSMENT DISTRICT NO. 1
IN THE CITY OF BREa, COUNTY OF ORANGE, STATE OF CALIFORNIA



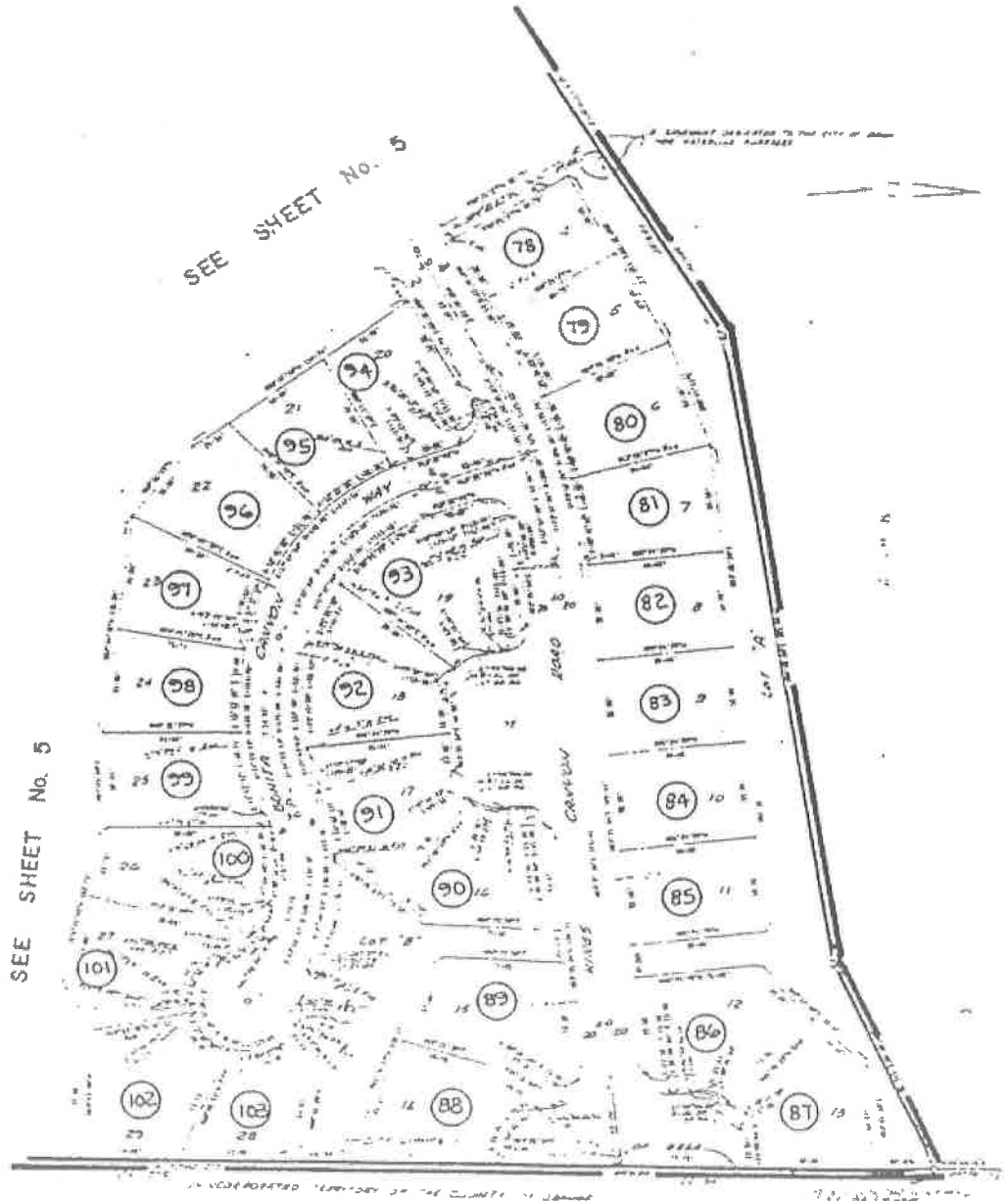
103 PARCELS SHEET 5 OF 6
ASSESSMENT DIAGRAM
LIGHTING & MAINTENANCE
ASSESSMENT DISTRICT NO. 1
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA

TRACT NO. 9341

42213
APR 21 1977
PLANNING & DEVELOPMENT
CITY OF BREA
CITY CLERK

CITY OF BREA

CITY OF BREA



103 PARCELS

SHEET 6 OF 6

ASSESSMENT DIAGRAM
LIGHTING & MAINTENANCE
ASSESSMENT DISTRICT NO. 1
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA

**Lighting
Maintenance District
No. 2
City of Brea**

Prepared under the authority of the
Landscaping and Lighting Act of 1972
Streets and Highways Code
State of California

Fiscal Year 2015-16

Submitted by:

Eric Nicoll
Director of Public Works

April 21, 2015

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City of Brea

April 21, 2015

Honorable Mayor and City Council
City of Brea
1 Civic Center Circle
Brea, CA 92821-5732

Re: Engineer's Report, Lighting Maintenance District No. 2

Transmitted herewith for your review and consideration is a report entitled, "Lighting Maintenance District No. 2, City of Brea."

This report has been prepared in accordance with the Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code. The report includes all the requirements of the Landscaping and Lighting Act of 1972 and the Streets and Highways Code, with particular reference to annual assessments after formation thereof of the District.

The report is submitted herewith for consideration at your next meeting to set a hearing date for the purpose of levying an annual assessment (Streets and Highways Code, Section 22620 to Section 22631).

Respectfully submitted,

Eric Nicoll, Director
Public Works Department

p:\maintenance\maint districts\assessment 15-16\lmd2 1516.doc

City Council

Marty Simonoff
Mayor

Christine Marick
Mayor Pro Tem

Cecilia Hupp
Council Member

Glenn Parker
Council Member

Steven Vargas
Council Member

Civic & Cultural Center • 1 Civic Center Circle • Brea, California 92821-5732 • 714/990-7600 • FAX 714/990-2258 • www.cityofbrea.net

Introduction and Background

Introduction:

This report has been prepared and is submitted for consideration by the City Council of the City of Brea under the authority of the Landscaping and Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code.

Background:

The City Council of the City of Brea adopted and approved Resolution No. 78-76, creating Lighting and Maintenance District No. 2 in the City of Brea.

The creation of Lighting and Maintenance District No. 2 in the City of Brea was a requirement of the City of Brea for the development of Tentative Tract No. 8857, known as "North Hills" development project.

No landscape maintenance is included in this district as the slopes are to be maintained by the homeowner or the homeowners' association, as required by the Conditions of Approval for Tentative Tract No. 8857.

The formation of the district and the levy of the first annual assessment was completed in accordance with the requirements of the Landscaping and Lighting Act of 1972 on July 5, 1978, by City Council Resolution No. 78-76.

The purpose of this report is to be utilized by the staff, the City Council, and the County Assessor in the levy and collection of an annual assessment after formation of an assessment district under the requirements of the Landscaping and Lighting Act of 1972 (State of California Streets and Highways Code, Section 22620 to 22631).

PART A PLANS AND SPECIFICATIONS

The facilities, which consist of street lighting, will be operated, serviced and maintained as generally described as follows:

Lighting, Traffic Signals and Appurtenant Facilities

Facilities include but are not limited to: Poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting and traffic signals in public street and sidewalk rights-of-way and dedicated easements within the boundaries of the Assessment District.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the public lighting facilities or appurtenant facilities; providing for the cleaning, sandblasting, and painting of poles and other improvements for general upkeep and to remove or cover graffiti.

Servicing means the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or appurtenant facilities.

The plans and specifications for the improvements, showing and describing the general nature, location, and the extent of the improvements, are on file in the office of the Director of Public Works and are incorporated herein by reference.

PART B ESTIMATE OF COST

The estimated cost of the operation, servicing and maintenance of the street and sidewalk improvements for Fiscal Year 2015-16, as described in Part A, are summarized herein and described below.

MAINTENANCE DISTRICT # 2 - ANNUAL COST FACTORS

Acct #	Description	FY 15-16 Est. Expenses
1. Fixed Costs		
4111	Salaries & Benefits	\$3,410
4113	Overtime	\$100
4243	Engineering	\$0
4244	Legal	\$0
4412	Property Tax Collection	\$20
Fixed Costs Totals		\$3,530
2. ROUTINE COSTS		
4211	Postage	\$135
4261	Repairs to Equipment	\$1,000
5800	Insurance and Other Expenses	\$410
Routine Costs Totals		\$1,545
Total Costs (Fixed & Routine)		\$5,075
Est. Fund Balance as of 1-Jul-2015		\$34,943
Projected Reserve Balance 30-Jun-2016		\$35,363
FY 2015-16 Annual Assessments		\$5,495

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the Districts. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the Districts by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.

PART C METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by cities for the purpose of providing certain public improvements which include construction, operation, maintenance and servicing of street lights, traffic signals and landscaping.

Section 22573 of the Landscaping and Landscaping and Lighting Act of 1972 (the 1972 Act) requires that maintenance assessments be levied according to benefit rather than according to assessed value. This section states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

The 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements." (Sec. 22574). Thus, the 1972 Act requires the levy of a true "assessment" based on the actual benefit rather than a "special tax."

ASSESSMENT METHODOLOGY

The North Hills Development project (Tract Nos. 9227, 9228 and 8857 in the City of Brea) was developed under conditions of development required by the City Council of the City of Brea.

The parcels of land in the District are single-family residential (SFR) lots, with each of these lots benefiting equally from the improvements being maintained. Therefore, the costs associated with the landscaping and lighting within and directly adjacent to the tract will be apportioned on a residential lot basis as follows:

$$\$5,495 / 297 \text{ SFR's} = \$18.50 / \text{SFR}$$

PART D ASSESSMENT ROLL

The amount of the total proposed assessment for fiscal year 2015-16 apportioned to each lot or parcel within the District, as shown on the latest assessment roll at the Orange County Assessor's Office, is contained in the Assessment Roll provided below.

The description of each lot or parcel is part of the Orange County assessment roll and this roll is, by reference, made part of this Report.

AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt
1	30424201	13	9227	\$18.50	41	30425224	53	9227	\$18.50	81	30424108	93	9227	\$18.50
2	30424202	14	9227	\$18.50	42	30425225	54	9227	\$18.50	82	30424107	94	9227	\$18.50
3	30424203	15	9227	\$18.50	43	30425226	55	9227	\$18.50	83	30424106	95	9227	\$18.50
4	30424204	16	9227	\$18.50	44	30425227	56	9227	\$18.50	84	30424105	96	9227	\$18.50
5	30424205	17	9227	\$18.50	45	30425228	57	9227	\$18.50	85	30424104	97	9227	\$18.50
6	30424206	18	9227	\$18.50	46	30425229	58	9227	\$18.50	86	30424103	98	9227	\$18.50
7	30424207	19	9227	\$18.50	47	30425230	59	9227	\$18.50	87	30424102	99	9227	\$18.50
8	30424208	21	9227	\$18.50	48	30425231	60	9227	\$18.50	88	30424101	100	9227	\$18.50
9	30424209	21	9227	\$18.50	49	30425232	61	9227	\$18.50	89	30425112	101	9227	\$18.50
10	30424210	22	9227	\$18.50	50	30425233	62	9227	\$18.50	90	30425111	102	9227	\$18.50
11	30424211	23	9227	\$18.50	51	30425234	63	9227	\$18.50	91	30425110	103	9227	\$18.50
12	30424212	24	9227	\$18.50	52	30425235	64	9227	\$18.50	92	30425109	104	9227	\$18.50
13	30424213	25	9227	\$18.50	53	30425236	65	9227	\$18.50	93	30425108	105	9227	\$18.50
14	30424214	26	9227	\$18.50	54	30425237	66	9227	\$18.50	94	30425107	106	9227	\$18.50
15	30424215	27	9227	\$18.50	55	30425238	67	9227	\$18.50	95	30425106	107	9227	\$18.50
16	30424216	28	9227	\$18.50	56	30425239	68	9227	\$18.50	96	30425105	108	9227	\$18.50
17	30424217	29	9227	\$18.50	57	30425240	69	9227	\$18.50	97	30425104	109	9227	\$18.50
18	30424218	30	9227	\$18.50	58	30425241	70	9227	\$18.50	98	30425103	110	9227	\$18.50
19	30424219	31	9227	\$18.50	59	30425242	71	9227	\$18.50	99	30425102	111	9227	\$18.50
20	30424220	32	9227	\$18.50	60	30425243	72	9227	\$18.50	100	30425101	112	9227	\$18.50
21	30424221	33	9227	\$18.50	61	30425244	73	9227	\$18.50	101	30425111	113	9227	\$18.50
22	30424222	34	9227	\$18.50	62	30425245	74	9227	\$18.50	102	30425110	114	9227	\$18.50
23	30424223	35	9227	\$18.50	63	30425246	75	9227	\$18.50	103	30425109	115	9227	\$18.50
24	30424224	36	9227	\$18.50	64	30425247	76	9227	\$18.50	104	30425108	116	9227	\$18.50
25	30424225	37	9227	\$18.50	65	30425248	77	9227	\$18.50	105	30425107	117	9227	\$18.50
26	30424226	38	9227	\$18.50	66	30425249	78	9227	\$18.50	106	30425106	118	9227	\$18.50
27	30424227	39	9227	\$18.50	67	30424122	79	9227	\$18.50	107	30425105	119	9227	\$18.50
28	30424228	40	9227	\$18.50	68	30424121	80	9227	\$18.50	108	30425104	120	9227	\$18.50
29	30424229	41	9227	\$18.50	69	30424120	81	9227	\$18.50	109	30425103	121	9227	\$18.50
30	30425213	42	9227	\$18.50	70	30424119	82	9227	\$18.50	110	30425102	122	9227	\$18.50
31	30425214	43	9227	\$18.50	71	30424118	83	9227	\$18.50	111	30425101	123	9227	\$18.50
32	30425215	44	9227	\$18.50	72	30424117	84	9227	\$18.50	112	30423501	1	9228	\$18.50
33	30425216	45	9227	\$18.50	73	30424116	85	9227	\$18.50	113	30423502	2	9228	\$18.50
34	30425217	46	9227	\$18.50	74	30424115	86	9221	\$18.50	114	30423503	3	9228	\$18.50
35	30425218	47	9227	\$18.50	75	30424114	87	9227	\$18.50	115	30426221	4	9228	\$18.50
36	30425219	48	9227	\$18.50	76	30424113	88	9227	\$18.50	116	30426222	5	9228	\$18.50
37	30425220	49	9227	\$18.50	77	30424112	89	9227	\$18.50	117	30426223	6	9228	\$18.50
38	30425221	50	9227	\$18.50	78	30424111	90	9227	\$18.50	118	30426224	7	9228	\$18.50
39	30425222	51	9227	\$18.50	79	30424110	91	9227	\$18.50	119	30426225	8	9228	\$18.50
40	30425223	52	9227	\$18.50	80	30424109	92	9227	\$18.50	120	30426226	9	9228	\$18.50

AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt
121	30423411	10	9228	\$18.50	180	30426105	69	9228	\$18.50	239	30427210	80	8857	\$18.50
122	30423410	11	9228	\$18.50	181	30426104	70	9228	\$18.50	240	30427211	81	8857	\$18.50
123	30423409	12	9228	\$18.50	182	30426103	71	9228	\$18.50	241	30427212	82	8857	\$18.50
124	30423408	13	9228	\$18.50	183	30426102	72	9228	\$18.50	242	30427213	83	8857	\$18.50
125	30423407	14	9228	\$18.50	184	30426101	73	9228	\$18.50	243	30427229	55	8857	\$18.50
126	30423406	15	9228	\$18.50	185	30423307	74	9228	\$18.50	244	30427228	56	8857	\$18.50
127	30423405	16	9228	\$18.50	186	30423308	75	9228	\$18.50	245	30427227	57	8857	\$18.50
128	30423404	17	9228	\$18.50	187	30423309	76	9228	\$18.50	246	30427226	58	8857	\$18.50
129	30423403	18	9228	\$18.50	188	30423301	77	9228	\$18.50	247	30427225	59	8857	\$18.50
130	30423402	19	9228	\$18.50	189	30423302	78	9228	\$18.50	248	30427224	60	8857	\$18.50
131	30423401	20	9228	\$18.50	190	30423303	79	9228	\$18.50	249	30427223	61	8857	\$18.50
132	30426201	21	9228	\$18.50	191	30423304	80	9228	\$18.50	250	30427222	62	8857	\$18.50
133	30426202	22	9228	\$18.50	192	30423201	81	9228	\$18.50	251	30427221	63	8857	\$18.50
134	30426203	23	9228	\$18.50	193	30423202	82	9228	\$18.50	252	30427220	64	8857	\$18.50
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136	30426205	25	9228	\$18.50	195	30423116	84	9228	\$18.50	254	30427218	66	8857	\$18.50
137	30426206	26	9228	\$18.50	196	30423117	85	9228	\$18.50	255	30427217	67	8857	\$18.50
138	30426207	27	9228	\$18.50	197	30423118	86	9228	\$18.50	256	30427216	68	8857	\$18.50
139	30426208	28	9228	\$18.50	198	30423119	87	9228	\$18.50	257	30427215	69	8857	\$18.50
140	30426209	29	9228	\$18.50	199	30423120	88	9228	\$18.50	258	30427214	70	8857	\$18.50
141	30426210	30	9228	\$18.50	200	30423121	89	9228	\$18.50	259	30427201	71	8857	\$18.50
142	30426211	31	9228	\$18.50	201	30423122	90	9228	\$18.50	260	30427202	72	8857	\$18.50
143	30426212	32	9228	\$18.50	202	30423123	91	9228	\$18.50	261	30427203	73	8857	\$18.50
144	30426213	33	9228	\$18.50	203	30423101	12	9227	\$18.50	262	30427204	74	8857	\$18.50
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146	30426215	35	9228	\$18.50	205	30423103	10	9227	\$18.50	264	30427206	76	8857	\$18.50
147	30426216	36	9228	\$18.50	206	30423104	9	9227	\$18.50	265	30427207	77	8857	\$18.50
148	30426217	37	9228	\$18.50	207	30423105	8	9227	\$18.50	266	30427320	23	8857	\$18.50
149	30426218	38	9228	\$18.50	208	30423106	7	9227	\$18.50	267	30427319	24	8857	\$18.50
150	30426219	39	9228	\$18.50	209	30423107	6	9227	\$18.50	268	30427318	25	8857	\$18.50
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152	30426133	41	9228	\$18.50	211	30423109	4	9227	\$18.50	270	30427316	27	8857	\$18.50
153	30426132	42	9228	\$18.50	212	30423110	3	9227	\$18.50	271	30427315	28	8857	\$18.50
154	30426131	43	9228	\$18.50	213	30423111	2	9227	\$18.50	272	30427314	29	8857	\$18.50
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156	30426129	45	9228	\$18.50	215	30423124	1	8857	\$18.50	274	30427312	31	8857	\$18.50
157	30426128	46	9228	\$18.50	216	30423125	2	8857	\$18.50	275	30427311	32	8857	\$18.50
158	30426127	47	9228	\$18.50	217	30427339	3	8857	\$18.50	276	30427310	33	8857	\$18.50
159	30426126	48	9228	\$18.50	218	30427338	4	8857	\$18.50	277	30427309	34	8857	\$18.50
160	30426125	49	9228	\$18.50	219	30427337	5	8857	\$18.50	278	30427308	35	8857	\$18.50
161	30426124	50	9228	\$18.50	220	30427336	6	8857	\$18.50	279	30427307	36	8857	\$18.50
162	30426123	51	9228	\$18.50	221	30427335	7	8857	\$18.50	280	30427306	37	8857	\$18.50
163	30426122	52	9228	\$18.50	222	30427334	8	8857	\$18.50	281	30427305	38	8857	\$18.50
164	30426121	53	9228	\$18.50	223	30427333	9	8857	\$18.50	282	30427304	39	8857	\$18.50
165	30426120	54	9228	\$18.50	224	30427332	10	8857	\$18.50	283	30427303	40	8857	\$18.50
166	30426119	55	9228	\$18.50	225	30427331	11	8857	\$18.50	284	30427302	41	8857	\$18.50
167	30426118	56	9228	\$18.50	226	30427330	12	8857	\$18.50	285	30427301	42	8857	\$18.50
168	30426117	57	9228	\$18.50	227	30427329	13	8857	\$18.50	286	30427101	43	8857	\$18.50
169	30426116	58	9228	\$18.50	228	30427328	14	8857	\$18.50	287	30427102	44	8857	\$18.50
170	30426115	59	9228	\$18.50	229	30423203	15	8857	\$18.50	288	30427103	45	8857	\$18.50
171	30426114	60	9228	\$18.50	230	30427327	16	8857	\$18.50	289	30427104	46	8857	\$18.50
172	30426113	61	9228	\$18.50	231	30427326	17	8857	\$18.50	290	30427105	47	8857	\$18.50
173	30426112	62	9228	\$18.50	232	30427325	18	8857	\$18.50	291	30427106	48	8857	\$18.50
174	30426111	63	9228	\$18.50	233	30427324	19	8857	\$18.50	292	30427107	49	8857	\$18.50
175	30426110	64	9228	\$18.50	234	30427323	20	8857	\$18.50	293	30427108	50	8857	\$18.50
176	30426109	65	9228	\$18.50	235	30427322	21	8857	\$18.50	294	30427109	51	8857	\$18.50
177	30426108	66	9228	\$18.50	236	30427321	22	8857	\$18.50	295	30427110	52	8857	\$18.50
178	30426107	67	9228	\$18.50	237	30427208	78	8857	\$18.50	296	30427111	53	8857	\$18.50
179	30426106	68	9228	\$18.50	238	30427209	79	8857	\$18.50	297	30427112	54	8857	\$18.50

PART E ASSESSMENT DISTRICTS' BOUNDARIES

A diagram of the boundaries of Lighting Maintenance District No. 2 is included herein.

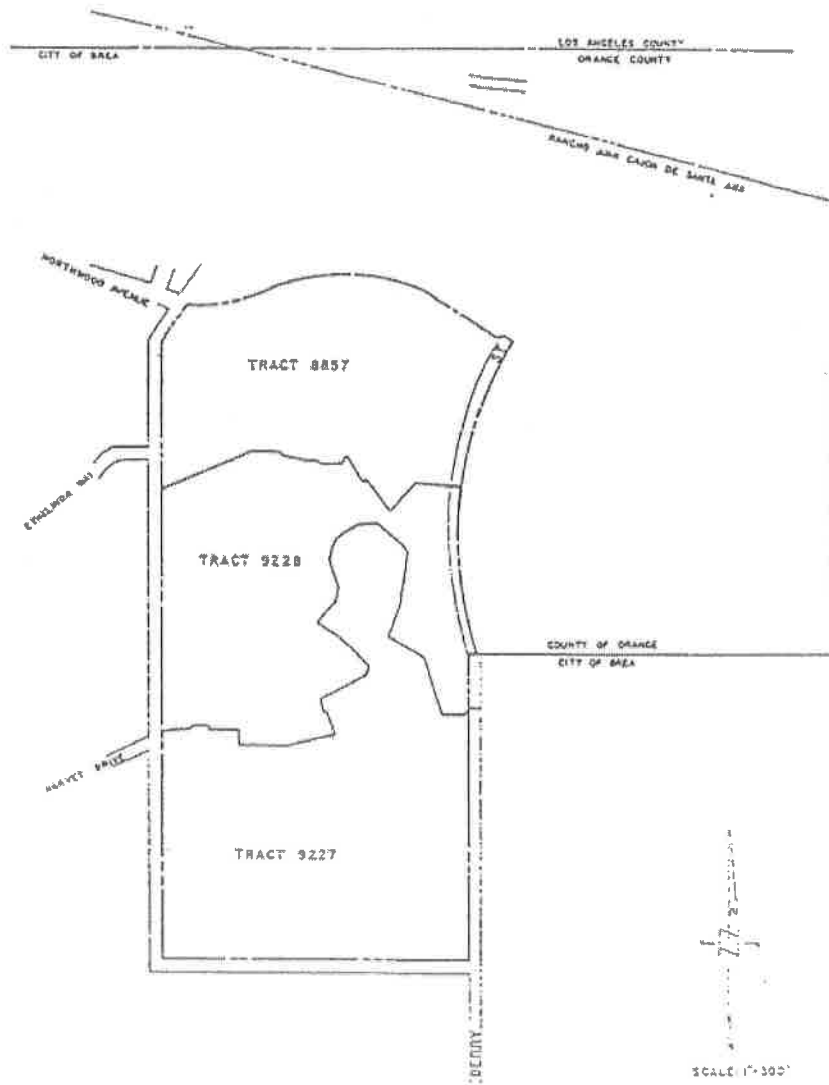
District No. 2 is generally located west of Berry Street, north of Central Avenue, and south of Northwood Avenue.

The boundaries of District No. 2 are described as "being the boundary of Annexation No. 8-74 to the City of Brea, County of Orange, State of California."

Also, the lines and dimensions of each lot or parcel within the Districts are those lines and dimensions shown on the maps of the Assessor of the County of Orange for fiscal year 2015-16. The Assessor's maps and records are incorporated by reference herein and made part of this report.

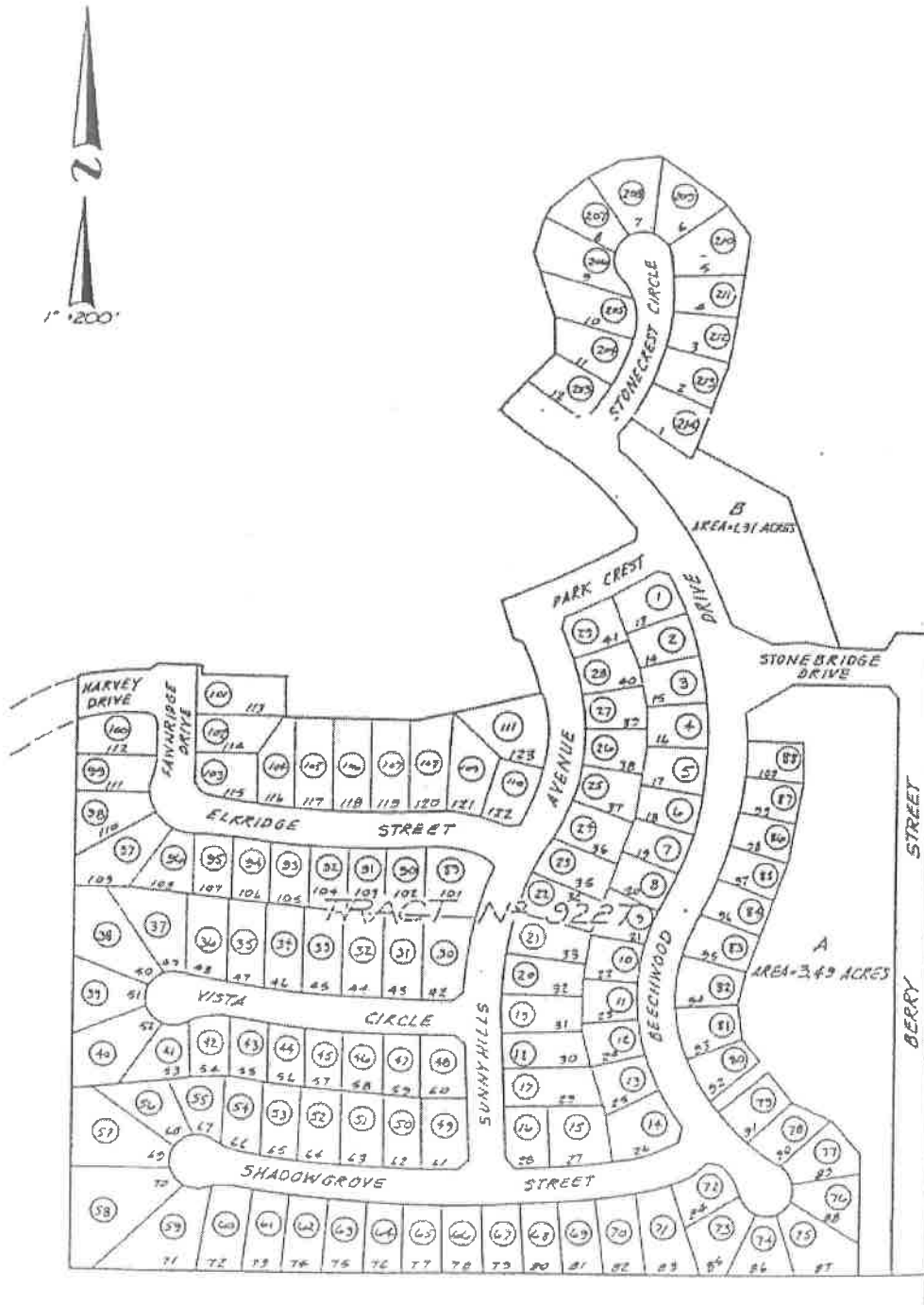
LEGEND

- STREET LIGHTING DISTRICT BOUNDARY
- COUNTY BOUNDARY
- RANCHO BOUNDARY



ASSESSMENT DIAGRAM BOUNDRIES
STREET LIGHTING DISTRICT NO.2
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA

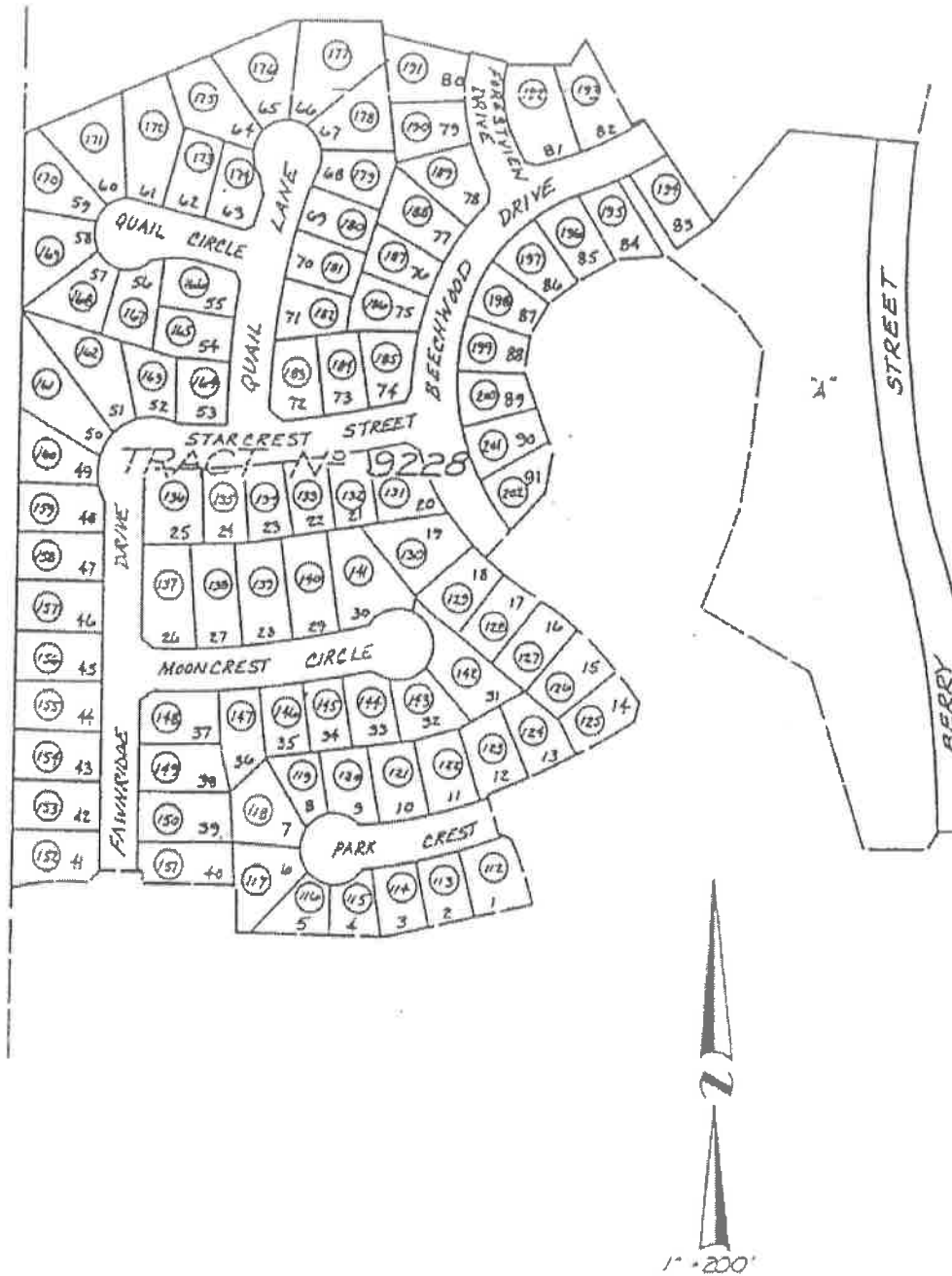
SHEET 1 OF



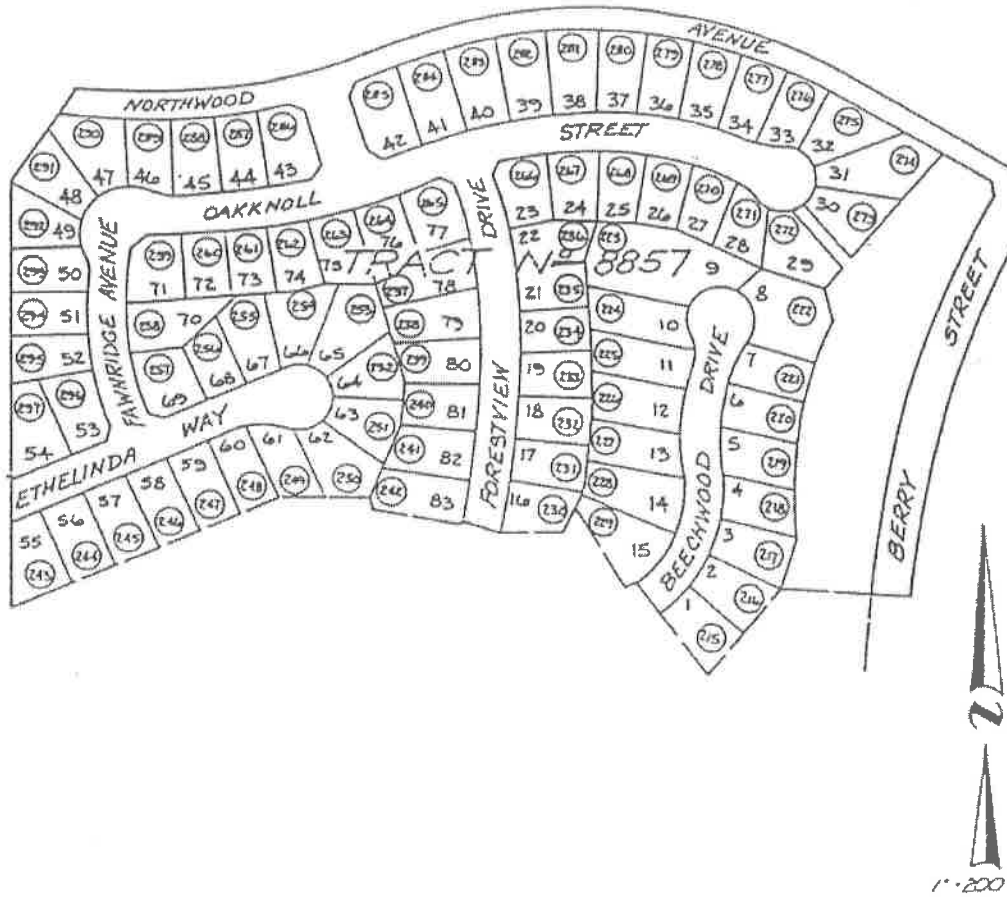
ASSESSMENT DIAGRAM
TO
CITY OF BREA STREET LIGHTING ASSESSMENT

DISTRICT N^o 2

SHEET 2 OF



ASSESSMENT DIAGRAM
TO
CITY OF BREA STREET LIGHTING ASSESSMENT
DISTRICT No 2
SHEET 3C



ASSESSMENT DIAGRAM
TO
CITY OF BREA STREET LIGHTING ASSESSMENT
DISTRICT No 2 SHEET 40

**Landscape and Lighting
Maintenance District
No. 3**

City of Brea

Prepared under the authority of the
Landscape and Lighting Act of 1972
Streets and Highways Code
State of California

Fiscal Year 2015-16

Submitted by:

Eric Nicoll
Director of Public Works

April 21, 2015

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City of Brea

April 21, 2015

Honorable Mayor and City Council
City of Brea
1 Civic Center Circle
Brea, CA 92821-5732

Re: Engineer's Report, Landscape & Lighting Maintenance District No. 3

Transmitted herewith for your review and consideration is a report entitled, "Landscape and Lighting Maintenance District No. 3, City of Brea."

This report has been prepared in accordance with the Landscape and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code. The report includes all the requirements of the Landscape and Lighting Act of 1972 and the Streets and Highways Code, with particular reference to annual assessments after formation thereof of the District.

The report is submitted herewith for consideration at your next meeting to set a hearing date for the purpose of levying an annual assessment (Streets and Highways Code, Section 22620 to Section 22631).

Respectfully submitted,


Eric Nicoll, Director
Public Works Department

p:\maintenance\maint districts\assessment 15-16\lmd3 1516.doc

City Council

Marty Simonoff
Mayor

Christine Marick
Mayor Pro Tem

Cecilia Hupp
Council Member

Glenn Parker
Council Member

Steven Vargas
Council Member

Civic & Cultural Center • 1 Civic Center Circle • Brea, California 92821-5732 • 714/990-7600 • FAX 714/990-2258 • www.cityofbrea.net

Introduction and Background

Introduction:

This report has been prepared and is submitted for consideration by the City Council of the City of Brea under the authority of the Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code, Article XIID of the California Constitution, and the Proposition 218 Omnibus Implementation Act.

Background:

The City Council of the City of Brea adopted Resolution No. 78-77 on July 5, 1978 creating Lighting and Maintenance District No. 3. This Lighting and Maintenance District was a condition of development for Tract No. 8242 in the City of Brea.

Tract No. 8242 was planned and has been developed adjacent to a 40-foot MWD easement for the MWD Lower Feeder, which diagonally traverses the property limits of Tract No. 8242.

This MWD easement was graded (within the limits of MWD specifications) and landscaped (under conditions of development) to act as a greenbelt trail area for the residents of the tract.

In addition to the MWD easement greenbelt, another landscaping greenbelt area was completed in a 20-foot easement adjacent to Birch Street.

In order to assure the maintenance of the greenbelts and the payment of fees for maintaining the greenbelt and the cost of energy for theme lighting, a condition of development was the requirement that a Lighting and Maintenance District be formed over the entire limits of Tract No. 8242.

In FY 2003-04, the property owners submitted ballots and approved an increase in assessment rate. Included in that balloting was an annual CPI escalator which allows the assessment rate to keep up with the cost of living. The annual escalator sets the maximum rate that the properties might be assessed.

The purpose of this report is to be utilized by the City Staff, the City Council, and the County Assessor in the levy and collection of an annual assessment after formation of an assessment district under the requirements of the Landscaping and Lighting Act of 1972 (State of California and Highways Code, Section 22620 to 22631).

PART A PLANS AND SPECIFICATIONS

The facilities, which consist of greenbelt areas and theme lighting, will be operated, serviced and maintained as generally described as follows:

Landscaping and Appurtenant Facilities

Facilities include but are not limited to: landscaping, planting, shrubbery, trees, irrigation systems, hardscapes, fixtures, sidewalk maintenance resulting from landscape growth and appurtenant facilities, in public street and sidewalk rights-of-way, including medians, parkways and dedicated easements within the boundaries of the Assessment District.

Lighting, Traffic Signals and Appurtenant Facilities

Facilities include but are not limited to: Poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting and traffic signals in public street and sidewalk rights-of-way and dedicated easements within the boundaries of the Assessment District.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping, public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

Servicing means the furnishing of water for the irrigation of the landscaping and the maintenance of any of the public lighting facilities or appurtenant facilities and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or operation of the landscaping or appurtenant facilities.

The plans and specifications for the improvements, showing and describing the general nature, location, and the extent of the improvements, are on file in the office of the Director of Public Works and are incorporated herein by reference.

PART B ESTIMATE OF COST

The estimated cost of the operation, servicing and maintenance of the landscape and lighting improvements for Fiscal Year 2015-16, as described in Part A, are summarized herein and described below.

MAINTENANCE DISTRICT # 3 - ANNUAL COST FACTORS

Acct #	Description	FY 15-16 Est.
1. Fixed Costs		Expenses
4111	Salaries & Benefits	\$9,308
4113	Overtime	\$100
4243	Engineering	\$0
4244	Legal	\$0
4412	Property Tax Collection	\$103
Fixed Costs Totals		\$9,511
2. ROUTINE COSTS		
4211	Postage	\$170
4249	Svc & Repair Equipment	\$40,000
4266	Contract Services/Grounds Maintenance	\$22,105
4282	Electricity	\$1,500
4285	Water	\$27,600
4337	Electrical Supplies & Parts	\$250
4339	Construction & Maintenance/Other	\$1,300
4379	Nursery Supplies	\$250
4441	Miscellaneous Expense	\$100
5800	Insurance and Other Expenses	\$1,575
Routine Costs Totals		\$94,850
Total Costs (Fixed & Routine)		\$104,361
Est. Fund Balance as of 1-Jul-2015		\$34,397
Projected Reserve Balance 30-Jun-2016		\$13,953
FY 2015-16 Annual Assessments		\$83,917

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the Districts. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the Districts by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.

PART C METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by cities for the purpose of providing certain public improvements which include construction, operation, maintenance and servicing of street lights, traffic signals and landscaping.

Section 22573 of the Landscaping and Lighting Act of 1972 (the 1972 Act) requires that maintenance assessments be levied according to benefit rather than according to assessed value. This section states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

The 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements." (Sec. 22574). Thus, the 1972 Act requires the levy of a true "assessment" based on the actual benefit rather than a "special tax."

In addition, Proposition 218, the "Right to Vote on Taxes Act" which was approved on the November 1996 Statewide ballot and added Article XIID to the California Constitution, requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. XIID provides that only special benefits are assessable and the City must separate the general benefits from the special benefits. XIID also requires that publicly owned property which benefit from the improvements be assessed.

SPECIAL BENEFIT ANALYSIS

Street Landscaping, Slopes and Greenbelts. Trees, landscaping, hardscaping and appurtenant facilities, if well maintained, provide beautification, shade and enhancement of the desirability of the surroundings, and therefore increase property value.

In Parkways and Land Values, written by John Nolan and Henry V. Hubbard in 1937, it is stated:

"... there is no lack of opinion, based on general principals and experience and common sense, that parkways *do in fact add value* to property, even though the amount cannot be determined exactly.... Indeed, in most cases where public money has been spent for parkways the assumption has been definitely made that the proposed parkway will show a *provable* financial profit to the City. It has been believed that the establishment of parkways causes a rise in real estate values throughout the City, or in parts of the City,..."

It should be noted that the definition of "parkways" above may include the roadway as well as the landscaping along side the roadway.

The ongoing operation and maintenance of the street landscaping, slopes and greenways within the district, as identified in Part A of this Report, provide beautification to the areas that result in a special benefit to the parcels within the tracts adjacent to the improvements. If these landscaped areas were not properly maintained, the tract would be blighted.

Theme Lighting. Proper maintenance and operation of pedestrian and street lights benefit all properties within the District by providing security, safety and community character and vitality as outlined below. Streetlights provide only incidental benefits to motorists traveling to, from or through the area.

BENEFITS OF STREET LIGHTING

Security and Safety

- Mitigates crime
- Alleviates the fear of crime
- Enhances safe ingress/egress to property

Community Character and Vitality

- Promotes social interaction
 - Contributes to a positive nighttime visual image
-

ASSESSMENT METHODOLOGY

The parcels of land in the District are single family residential (SFR) lots, with each of these lots benefiting equally from the improvements being maintained. Therefore, the costs associated with the landscaping and lighting within and directly adjacent to the tract will be apportioned on a residential lot basis as follows:

$$\$83,917 / 188 \text{ SFR's} = \$446.37 / \text{SFR}$$

This assessment rate is the maximum rate. This maximum assessment rate will be increased each year by the annual change in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles, Riverside and Orange County areas. The actual assessments levied in any fiscal year will be as approved by the City Council and may not exceed the maximum assessment rate without receiving property owner approval for the increase. The calculation for the maximum assessment rate is provided in the table below. The increase in CPI for FY 2015-16 is .7%.

Maximum Assessment Rate Calculation						
Maximum Asmt for FY 2003-04	CPI Increase	Maximum Asmt for FY 2004-05	CPI Increase	Maximum Asmt for FY 2005-06	CPI Increase	Maximum Asmt for FY 2006-07
\$336.27 / SFR	1.8%	\$342.32 / SFR	4.4%	\$357.39 / SFR	4.5%	\$373.47 / SFR
CPI Increase	Maximum Asmt For FY 2007-2008	CPI Increase	Maximum Asmt For FY 2008-2009	CPI Increase	Maximum Asmt For FY 2009-2010	CPI Increase
4.3%	\$389.53 / SFR	3.3%	\$402.38 / SFR	3.5%	\$416.47 / SFR	0%
Maximum Asmt For FY 2010-2011	CPI Increase	Maximum Asmt For FY 2011-2012	CPI Increase	Maximum Asmt For FY 2012-2013	CPI Increase	Maximum Asmt For FY 2013-2014
\$416.47 / SFR	1.2%	\$421.47 / SFR	2.7%	\$432.85 / SFR	2%	\$441.51 / SFR
CPI Increase	Maximum Asmt For FY 2014-2015	CPI Increase	Maximum Asmt For FY 2015-2016			
1.1%	\$446.37 / SFR	.7%	\$449.49 / SFR			

PART D ASSESSMENT ROLL

The amount of the total proposed assessment for Fiscal Year 2015-16 apportioned to each lot or parcel within the District, as shown on the latest assessment roll at the Orange County Assessor's Office, is contained in the Assessment Roll provided below.

The description of each lot or parcel is part of the Orange County assessment roll and this roll is, by reference, made part of this Report.

AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt
1	32026208	1	8242	\$402.38	39	32024107	39	8242	\$402.38
2	32026209	2	8242	\$402.38	40	32024108	40	8242	\$402.38
3	32026210	3	8242	\$402.38	41	32024109	41	8242	\$402.38
4	32026211	4	8242	\$402.38	42	32024110	42	8242	\$402.38
5	32026212	5	8242	\$402.38	43	32024111	43	8242	\$402.38
6	32026213	6	8242	\$402.38	44	32024112	44	8242	\$402.38
7	32026214	7	8242	\$402.38	45	32024113	45	8242	\$402.38
8	32026215	8	8242	\$402.38	46	32024114	46	8242	\$402.38
9	32025401	9	8242	\$402.38	47	32024125	47	8242	\$402.38
10	32025402	10	8242	\$402.38	48	32024126	48	8242	\$402.38
11	32025403	11	8242	\$402.38	49	32024127	49	8242	\$402.38
12	32025404	12	8242	\$402.38	50	32024128	50	8242	\$402.38
13	32025405	13	8242	\$402.38	51	32024123	51	8242	\$402.38
14	32025406	14	8242	\$402.38	52	32024124	52	8242	\$402.38
15	32025311	15	8242	\$402.38	53	32024210	53	8242	\$402.38
16	32025309	16	8242	\$402.38	54	32024209	54	8242	\$402.38
17	32025308	17	8242	\$402.38	55	32024208	55	8242	\$402.38
18	32025307	18	8242	\$402.38	56	32024207	56	8242	\$402.38
19	32025306	19	8242	\$402.38	57	32024206	57	8242	\$402.38
20	32025305	20	8242	\$402.38	58	32024205	58	8242	\$402.38
21	32025304	21	8242	\$402.38	59	32024204	59	8242	\$402.38
22	32025303	22	8242	\$402.38	60	32024203	60	8242	\$402.38
23	32025302	23	8242	\$402.38	61	32024202	61	8242	\$402.38
24	32025301	24	8242	\$402.38	62	32024201	62	8242	\$402.38
25	32025207	25	8242	\$402.38	63	32024226	63	8242	\$402.38
26	32025208	26	8242	\$402.38	64	32024225	64	8242	\$402.38
27	32025209	27	8242	\$402.38	65	32024224	65	8242	\$402.38
28	32025210	28	8242	\$402.38	66	32024223	66	8242	\$402.38
29	32025201	29	8242	\$402.38	67	32024222	67	8242	\$402.38
30	32025202	30	8242	\$402.38	68	32024221	68	8242	\$402.38
31	32025203	31	8242	\$402.38	69	32024220	69	8242	\$402.38
32	32025204	32	8242	\$402.38	70	32024219	70	8242	\$402.38
33	32024101	33	8242	\$402.38	71	32024218	71	8242	\$402.38
34	32024102	34	8242	\$402.38	72	32024217	72	8242	\$402.38
35	32024103	35	8242	\$402.38	73	32024216	73	8242	\$402.38
36	32024104	36	8242	\$402.38	74	32024215	74	8242	\$402.38
37	32024105	37	8242	\$402.38	75	32024214	75	8242	\$402.38
38	32024106	38	8242	\$402.38	76	32024213	76	8242	\$402.38

AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt
77	32024212	77	8242	\$402.38	126	32026244	126	8242	\$402.38
78	32024211	78	8242	\$402.38	127	32026245	127	8242	\$402.38
79	32025138	79	8242	\$402.38	128	32026246	128	8242	\$402.38
80	32025137	80	8242	\$402.38	130	32026248	130	8242	\$402.38
81	32025136	81	8242	\$402.38	131	32026249	131	8242	\$402.38
82	32025135	82	8242	\$402.38	132	32024305	132	8242	\$402.38
83	32025134	83	8242	\$402.38	133	32024306	133	8242	\$402.38
84	32025133	84	8242	\$402.38	134	32024307	134	8242	\$402.38
85	32025132	85	8242	\$402.38	135	32024308	135	8242	\$402.38
86	32025131	86	8242	\$402.38	136	32024309	136	8242	\$402.38
87	32025130	87	8242	\$402.38	137	32024310	137	8242	\$402.38
88	32025129	88	8242	\$402.38	138	32024401	138	8242	\$402.38
89	32025128	89	8242	\$402.38	139	32024402	139	8242	\$402.38
90	32025127	90	8242	\$402.38	140	32024403	140	8242	\$402.38
91	32025126	91	8242	\$402.38	141	32024404	141	8242	\$402.38
92	32025125	92	8242	\$402.38	142	32024405	142	8242	\$402.38
93	32025124	93	8242	\$402.38	143	32024406	143	8242	\$402.38
94	32025123	94	8242	\$402.38	144	32024407	144	8242	\$402.38
95	32025122	95	8242	\$402.38	145	32026234	145	8242	\$402.38
96	32025121	96	8242	\$402.38	146	32026235	146	8242	\$402.38
97	32025120	97	8242	\$402.38	147	32026236	147	8242	\$402.38
98	32025119	98	8242	\$402.38	148	32026237	148	8242	\$402.38
99	32025118	99	8242	\$402.38	149	32026238	149	8242	\$402.38
100	32025117	100	8242	\$402.38	150	32026239	150	8242	\$402.38
101	32025116	101	8242	\$402.38	151	32026240	151	8242	\$402.38
102	32025115	102	8242	\$402.38	152	32026241	152	8242	\$402.38
103	32024301	103	8242	\$402.38	153	32026217	153	8242	\$402.38
104	32024302	104	8242	\$402.38	154	32026218	154	8242	\$402.38
105	32024302	105	8242	\$402.38	155	32026319	155	8242	\$402.38
106	32024304	106	8242	\$402.38	156	32026220	156	8242	\$402.38
107	32026250	107	8242	\$402.38	157	32026221	157	8242	\$402.38
108	32026251	108	8242	\$402.38	158	32026227	158	8242	\$402.38
109	32026252	109	8242	\$402.38	159	32026228	159	8242	\$402.38
110	32026253	110	8242	\$402.38	160	32026229	160	8242	\$402.38
111	32025114	111	8242	\$402.38	161	32026230	161	8242	\$402.38
112	32025113	112	8242	\$402.38	162	32026231	162	8242	\$402.38
113	32025112	113	8242	\$402.38	163	32026232	163	8242	\$402.38
114	32025111	114	8242	\$402.38	164	32026233	164	8242	\$402.38
115	32025109	115	8242	\$402.38	165	32026222	165	8242	\$402.38
116	32025108	116	8242	\$402.38	166	32026223	166	8242	\$402.38
117	32025107	117	8242	\$402.38	167	32026224	167	8242	\$402.38
118	32025106	118	8242	\$402.38	168	32026225	168	8242	\$402.38
119	32025105	119	8242	\$402.38	169	32026226	169	8242	\$402.38
120	32025104	120	8242	\$402.38	170	32026206	170	8242	\$402.38
121	32025103	121	8242	\$402.38	171	32026205	171	8242	\$402.38
122	32025102	122	8242	\$402.38	172	32026204	172	8242	\$402.38
123	32025101	123	8242	\$402.38	173	32026203	173	8242	\$402.38
124	32026242	124	8242	\$402.38	174	32026202	174	8242	\$402.38
125	32026243	125	8242	\$402.38	175	32026201	175	8242	\$402.38

AD #	APN	Lot	Tract	Asmt
176	32026101	176	8242	\$402.38
177	32026102	177	8242	\$402.38
178	32026103	178	8242	\$402.38
179	32026104	179	8242	\$402.38
180	32026105	180	8242	\$402.38
181	32026106	181	8242	\$402.38
182	32026107	182	8242	\$402.38
183	32026108	183	8242	\$402.38
184	32026109	184	8242	\$402.38
185	32026110	185	8242	\$402.38
186	32026111	186	8242	\$402.38
187	32026112	187	8242	\$402.38
188	32026113	188	8242	\$402.38

PART E ASSESSMENT DISTRICTS' BOUNDARIES

A diagram of the boundaries of Landscape and Lighting Maintenance District No. 3 is included herein.

The boundaries of the District are described as being the blue border of Tract No. 8242, as shown on a map recorded in Book 428, pages 19 through 24 of Miscellaneous Maps of Orange County, California.

Assessment Parcels 1 through 188 being also Lots 1 through 188 of Tract No. 8242.

Also, the lines and dimensions of each lot or parcel within the Districts are those lines and dimensions shown on the maps of the Assessor of the County of Orange for Fiscal Year 2015-16. The Assessor's maps and records are incorporated by reference herein and made part of this report.



LEGEND

- STREET LIGHTING DISTRICT BOUNDARY
- CITY OF BREA BOUNDARY
- 12 LOT NUMBER
- Ⓐ ASSESSMENT NUMBER



ASSESSMENT DIAGRAM BOUNDRIES
STREET LIGHTING AND MAINTANENCE DISTRICT NO.3
 IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA

SHEET 1 OF 1

**Lighting
Maintenance District
No. 4
City of Brea**

Prepared under the authority of the
Landscaping and Lighting Act of 1972
Streets and Highways Code
State of California

Fiscal Year 2015-16

Submitted by:

Eric Nicoll
Director of Public Works

April 21, 2015

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City of Brea

April 21, 2015

Honorable Mayor and City Council
City of Brea
1 Civic Center Circle
Brea, CA 92821-5732

Re: Engineer's Report, Lighting Maintenance District No. 4

Transmitted herewith for your review and consideration is a report entitled, "Lighting Maintenance District No. 4, City of Brea."

This report has been prepared in accordance with the Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code. The report includes all the requirements of the Landscaping and Lighting Act of 1972 and the Streets and Highways Code, with particular reference to annual assessments after formation thereof of the District.

The report is submitted herewith for consideration at your next meeting to set a hearing date for the purpose of levying an annual assessment (Streets and Highways Code, Section 22620 to Section 22631).

Respectfully submitted,

Eric Nicoll, Director
Public Works Department

p:\maintenance\maint districts\assessment 15-16\lmd4 1516.doc

City Council

Marty Simonoff
Mayor

Christine Marick
Mayor Pro Tem

Cecilia Hupp
Council Member

Glenn Parker
Council Member

Steven Vargas
Council Member

Civic & Cultural Center • 1 Civic Center Circle • Brea, California 92821-5732 • 714/990-7600 • FAX 714/990-2258 • www.cityofbrea.net

Introduction and Background

Introduction:

This report has been prepared and is submitted for consideration by the City Council of the City of Brea under the authority of the Landscaping and Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code.

Background:

The City Council of the City of Brea adopted Resolution No. 78-7 on January 3, 1978 approving Tentative Tract 9298 and the condition therefore for the improvement of Tentative Tract 9298.

On May 26, 1981, the City Council of the City of Brea by minute motion deleted paragraph AA of PC 91-77 of the Planning Commission of the City of Brea and ordered the creation of a lighting Maintenance District for Street Lighting only. No landscape maintenance requirements are included in this report, as the areas that are landscaped are being maintained by the Homeowners' Association under the requirements of the development upon the sale of any portion of Tentative Tract 9298. The formation of the district and the levy of the first annual assessment were completed in accordance with the requirements of the Landscaping and Lighting Act of 1972 on July 5, 1978, by City Council Resolution No. 78-76.

The purpose of this report is to be utilized by the staff, the City Council, and the County Assessor in the levy and collection of an annual assessment after formation of an assessment district under the requirements of the Landscaping and Lighting Act of 1972 (State of California Streets and Highways Code, Section 22620 to 22631).

PART A PLANS AND SPECIFICATIONS

The facilities, which consist of street lighting, will be operated, serviced and maintained as generally described as follows:

Lighting, Traffic Signals and Appurtenant Facilities

Facilities include but are not limited to: Poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting and traffic signals in public street and sidewalk rights-of-way and dedicated easements within the boundaries of the Assessment District.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the public lighting facilities or appurtenant facilities; providing for the cleaning, sandblasting, and painting of poles and other improvements for general upkeep and to remove or cover graffiti.

Servicing means the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or appurtenant facilities.

The plans and specifications for the improvements, showing and describing the general nature, location, and the extent of the improvements, are on file in the office of the Director of Public Works and are incorporated herein by reference.

PART B ESTIMATE OF COST

The estimated cost of the operation, servicing and maintenance of the street and sidewalk improvements for Fiscal Year 2015-16, as described in Part A, are summarized herein and described below.

MAINTENANCE DISTRICT # 4 - ANNUAL COST FACTORS

Acct #	Description	FY 15-16 Est. Expenses
1. Fixed Costs		
4111	Salaries & Benefits	\$1,146
4113	Overtime	\$100
4243	Engineering	\$0
4244	Legal	\$0
4412	Property Tax Collection	\$10
Fixed Costs Totals		\$1,256
2. ROUTINE COSTS		
4211	Postage	\$105
4261	Repairs to Equipment	\$300
4337	Electrical Supplies	\$100
5800	Insurance and Other Expenses	\$132
Routine Costs Totals		\$637
Total Costs (Fixed & Routine)		\$1,893
Est. Fund Balance as of 1-Jul-2015		\$14,814
Projected Reserve Balance 30-Jun-2016		\$15,681
FY 2015-16 Annual Assessments		\$2,760

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the Districts. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the Districts by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.

PART C METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by cities for the purpose of providing certain public improvements which include construction, operation, maintenance and servicing of street lights, traffic signals and landscaping.

Section 22573 of the Landscaping and Landscaping and Lighting Act of 1972 (the 1972 Act) requires that maintenance assessments be levied according to benefit rather than according to assessed value. This section states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

The 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements." (Sec. 22574). Thus, the 1972 Act requires the levy of a true "assessment" based on the actual benefit rather than a "special tax."

ASSESSMENT METHODOLOGY

The Park Paseo Development project (Tract Numbers 10224, 10324, 10325, 10326, 10327 and 9298, all a portion of Tentative Tract No. 9298 in the City of Brea) was developed under conditions of development as required by the City Council of the City of Brea.

The parcels of land in the District are single family residential (SFR) lots, with each of these lots benefiting equally from the improvements being maintained. Therefore, the costs associated with the landscaping and lighting within and directly adjacent to the tract will be apportioned on a residential lot basis as follows:

$$\$2,760 / 230 \text{ SFR's} = \$12.00 / \text{SFR}$$

PART D ASSESSMENT ROLL

The amount of the total proposed assessment for Fiscal Year 2015-16 apportioned to each lot or parcel within the District, as shown on the latest assessment roll at the Orange County Assessor's Office, is contained in the Assessment Roll provided below.

The description of each lot or parcel is part of the Orange County assessment roll and this roll is, by reference, made part of this Report.

AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt
1	32027131	1	10224	\$12.00	41	32027156	10	10324	\$12.00	81	32029208	19	10325	\$12.00
2	32027130	2	10224	\$12.00	42	32027157	11	10324	\$12.00	82	32029209	20	10325	\$12.00
3	32027129	3	10224	\$12.00	43	32027158	12	10324	\$12.00	83	32029210	21	10325	\$12.00
4	32027128	4	10224	\$12.00	44	32027159	13	10324	\$12.00	84	32029211	22	10325	\$12.00
5	32027127	5	10224	\$12.00	45	32027160	14	10324	\$12.00	85	32029212	23	10325	\$12.00
6	32027126	6	10224	\$12.00	46	32027161	15	10324	\$12.00	86	32029213	24	10325	\$12.00
7	32027125	7	10224	\$12.00	47	32027162	16	10324	\$12.00	87	32029214	25	10325	\$12.00
8	32027124	8	10224	\$12.00	48	32027163	17	10324	\$12.00	88	32029215	26	10325	\$12.00
9	32027123	9	10224	\$12.00	49	32027164	18	10324	\$12.00	89	32029201	27	10325	\$12.00
10	32027122	10	10224	\$12.00	50	32027165	19	10324	\$12.00	90	32029202	28	10325	\$12.00
11	32027121	11	10224	\$12.00	51	32027166	20	10324	\$12.00	91	32029203	29	10325	\$12.00
12	32027120	12	10224	\$12.00	52	32027167	21	10324	\$12.00	92	32029204	30	10325	\$12.00
13	32027119	13	10224	\$12.00	53	32027178	1	11827	\$12.00	93	32029205	31	10325	\$12.00
14	32027118	14	10224	\$12.00	54	32027179	2	11827	\$12.00	94	32029206	32	10325	\$12.00
15	32027117	15	10224	\$12.00	55	32027180	3	11827	\$12.00	95	32029207	33	10325	\$12.00
16	32027116	16	10224	\$12.00	56	32029143	4	11827	\$12.00	96	32029112	34	10325	\$12.00
17	32027115	17	10224	\$12.00	57	32029145	5	11827	\$12.00	97	32029148	10	11827	\$12.00
18	32027114	18	10224	\$12.00	58	32029144	6	11827	\$12.00	98	32029149	9	11827	\$12.00
19	32027113	19	10224	\$12.00	59	32029102	28	10324	\$12.00	99	32029150	19	11827	\$12.00
20	32027112	20	10224	\$12.00	60	32029107	29	10324	\$12.00	100	32029151	12	11827	\$12.00
21	32027111	21	10224	\$12.00	61	32029147	7	11827	\$12.00	101	32029152	11	11827	\$12.00
22	32027110	22	10224	\$12.00	62	32029146	8	11827	\$12.00	102	32029253	1	10326	\$12.00
23	32027109	23	10224	\$12.00	63	32029235	1	10325	\$12.00	103	32029254	2	10326	\$12.00
24	32027108	24	10224	\$12.00	64	32029236	2	10325	\$12.00	104	32029255	3	10326	\$12.00
25	32027107	25	10224	\$12.00	65	32029237	3	10325	\$12.00	105	32029256	4	10326	\$12.00
26	32027106	26	10224	\$12.00	66	32029238	4	10325	\$12.00	106	32029257	5	10326	\$12.00
27	32027105	27	10224	\$12.00	67	32029239	5	10325	\$12.00	107	32029258	6	10326	\$12.00
28	32027104	28	10224	\$12.00	68	32029231	6	10325	\$12.00	108	32029246	7	10326	\$12.00
29	32027103	29	10224	\$12.00	69	32029232	7	10325	\$12.00	109	32029247	8	10326	\$12.00
30	32027102	30	10224	\$12.00	70	32029233	8	10325	\$12.00	110	32029248	9	10326	\$12.00
31	32027101	31	10224	\$12.00	71	32029234	9	10325	\$12.00	111	32029249	10	10326	\$12.00
32	32027147	1	10324	\$12.00	72	32029216	10	10325	\$12.00	112	32029250	11	10326	\$12.00
33	32027148	2	10324	\$12.00	73	32029217	11	10325	\$12.00	113	32029251	12	10326	\$12.00
34	32027149	3	10324	\$12.00	74	32029218	12	10325	\$12.00	114	32029252	13	10326	\$12.00
35	32027150	4	10324	\$12.00	75	32029219	13	10325	\$12.00	115	32029240	14	10326	\$12.00
36	32027151	5	10324	\$12.00	76	32029220	14	10325	\$12.00	116	32029241	15	10326	\$12.00
37	32027152	6	10324	\$12.00	77	32029221	15	10325	\$12.00	117	32029242	16	10326	\$12.00
38	32027153	7	10324	\$12.00	78	32029222	16	10325	\$12.00	118	32029243	17	10326	\$12.00
39	32027154	8	10324	\$12.00	79	32029223	17	10325	\$12.00	119	32029244	18	10326	\$12.00
40	32027155	9	10324	\$12.00	80	32029224	18	10325	\$12.00	120	32029245	19	10326	\$12.00

AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt
121	32029225	20	10326	\$12.00	179	32031369	3	9298	\$12.00
122	32029226	21	10326	\$12.00	180	32031368	4	9298	\$12.00
123	32029227	22	10326	\$12.00	181	32031367	5	9298	\$12.00
124	32029228	23	10326	\$12.00	182	32031366	6	9298	\$12.00
125	32029229	24	10326	\$12.00	183	32031365	7	9298	\$12.00
126	32029230	25	10326	\$12.00	184	32031364	8	9298	\$12.00
127	32029153	16	11827	\$12.00	185	32031363	9	9298	\$12.00
128	32029154	15	11827	\$12.00	186	32031362	10	9298	\$12.00
129	32029155	14	11827	\$12.00	187	32031361	11	9298	\$12.00
130	32029156	17	11827	\$12.00	188	32031360	12	9298	\$12.00
131	32029122	30	10326	\$12.00	189	32031359	13	9298	\$12.00
132	32029123	31	10326	\$12.00	190	32031358	14	9298	\$12.00
133	32029124	32	10326	\$12.00	191	32031357	15	9298	\$12.00
134	32029125	33	10326	\$12.00	192	32031356	16	9298	\$12.00
135	32029126	34	10326	\$12.00	193	32031355	17	9298	\$12.00
136	32031320	1	10327	\$12.00	194	32031354	18	9298	\$12.00
137	32031319	2	10327	\$12.00	195	32031353	19	9298	\$12.00
138	32031101	3	10327	\$12.00	196	32031352	20	9298	\$12.00
139	32031102	4	10327	\$12.00	197	32031351	21	9298	\$12.00
140	32031103	5	10327	\$12.00	198	32031350	22	9298	\$12.00
141	32031104	6	10327	\$12.00	199	32031349	23	9298	\$12.00
142	32029402	7	10327	\$12.00	200	32031348	24	9298	\$12.00
143	32029401	8	10327	\$12.00	201	32031347	25	9298	\$12.00
144	32029263	9	10327	\$12.00	202	32031346	26	9298	\$12.00
145	32029262	10	10327	\$12.00	203	32031345	27	9298	\$12.00
146	32029259	11	10327	\$12.00	204	32031344	28	9298	\$12.00
147	32029260	12	10327	\$12.00	205	32031343	29	9298	\$12.00
148	32029261	13	10327	\$12.00	206	32031342	30	9298	\$12.00
149	32029404	14	10327	\$12.00	207	32031341	31	9298	\$12.00
150	32029403	15	10327	\$12.00	208	32031340	32	9298	\$12.00
151	32031105	16	10327	\$12.00	209	32031339	33	9298	\$12.00
152	32031106	17	10327	\$12.00	210	32031338	34	9298	\$12.00
153	32031107	18	10327	\$12.00	211	32031337	35	9298	\$12.00
154	32029127	19	10327	\$12.00	212	32031336	36	9298	\$12.00
155	32029128	20	10327	\$12.00	213	32031335	37	9298	\$12.00
156	32029129	21	10327	\$12.00	214	32031334	38	9298	\$12.00
157	32029130	22	10327	\$12.00	215	32031333	39	9298	\$12.00
158	32029131	23	10327	\$12.00	216	32031332	40	9298	\$12.00
159	32031301	24	10327	\$12.00	217	32031331	41	9298	\$12.00
160	32031302	25	10327	\$12.00	218	32031401	42	9298	\$12.00
161	32031303	26	10327	\$12.00	219	32031402	43	9298	\$12.00
162	32031304	27	10327	\$12.00	220	32031403	44	9298	\$12.00
163	32031305	28	10327	\$12.00	221	32031404	45	9298	\$12.00
164	32031306	29	10327	\$12.00	222	32031405	46	9298	\$12.00
165	32031307	30	10327	\$12.00	223	32031406	47	9298	\$12.00
166	32031308	31	10327	\$12.00	224	32031407	48	9298	\$12.00
167	32031309	32	10327	\$12.00	225	32031408	49	9298	\$12.00
168	32031390	33	10327	\$12.00	226	32031409	50	9298	\$12.00
169	32031389	34	10327	\$12.00	227	32031410	51	9298	\$12.00
170	32031312	35	10327	\$12.00	228	32031411	52	9298	\$12.00
171	32031313	36	10327	\$12.00	229	32031412	53	9298	\$12.00
172	32031314	37	10327	\$12.00	230	32031413	54	9298	\$12.00
173	32031315	38	10327	\$12.00					
174	32031316	39	10327	\$12.00					
175	32031318	40	10327	\$12.00					
176	32031317	41	10327	\$12.00					
177	32031371	1	9298	\$12.00					
178	32031370	2	9298	\$12.00					

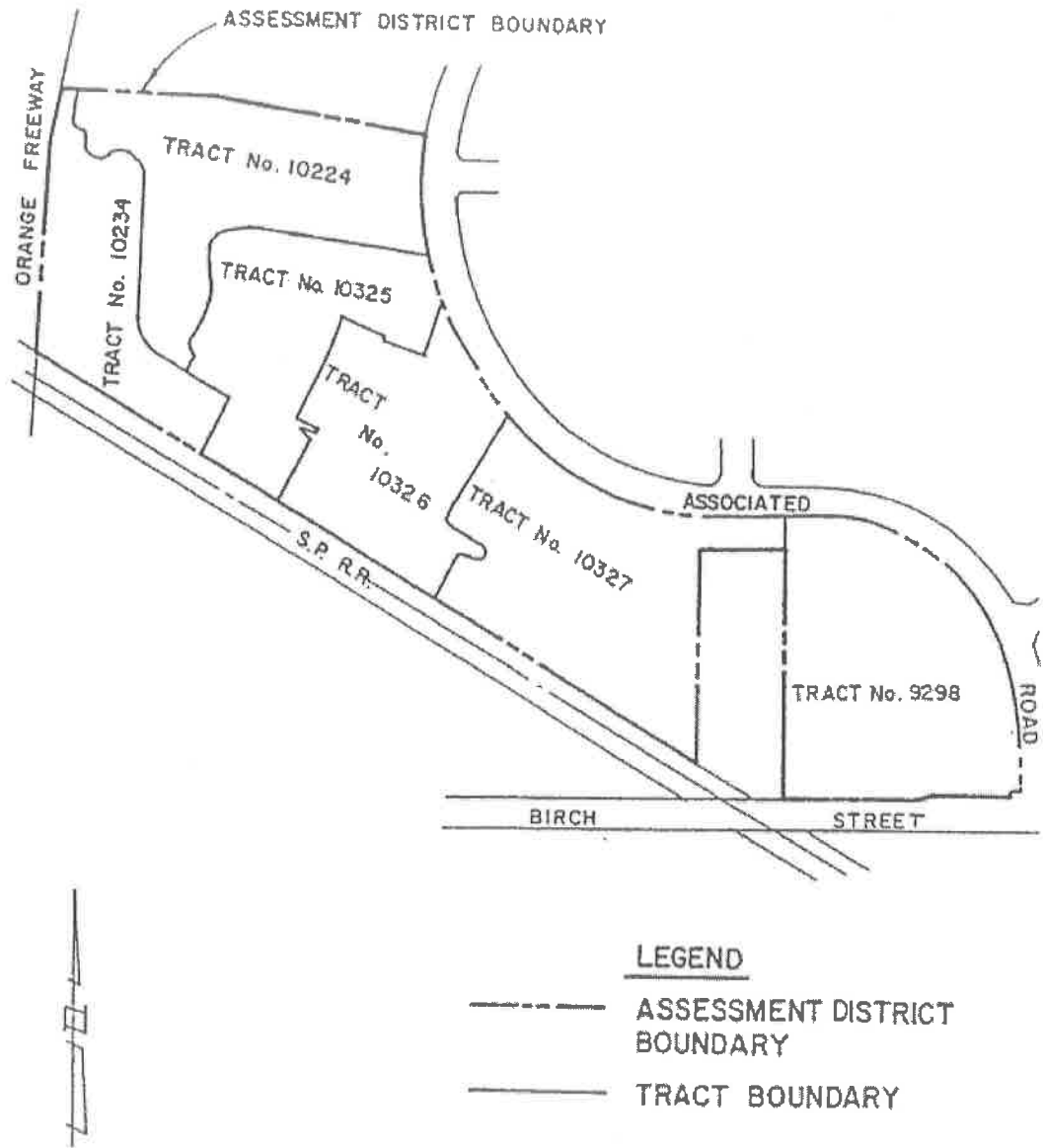
PART E ASSESSMENT DISTRICTS' BOUNDARIES

A diagram of the boundaries of Lighting Maintenance District No. 4 is included herein.

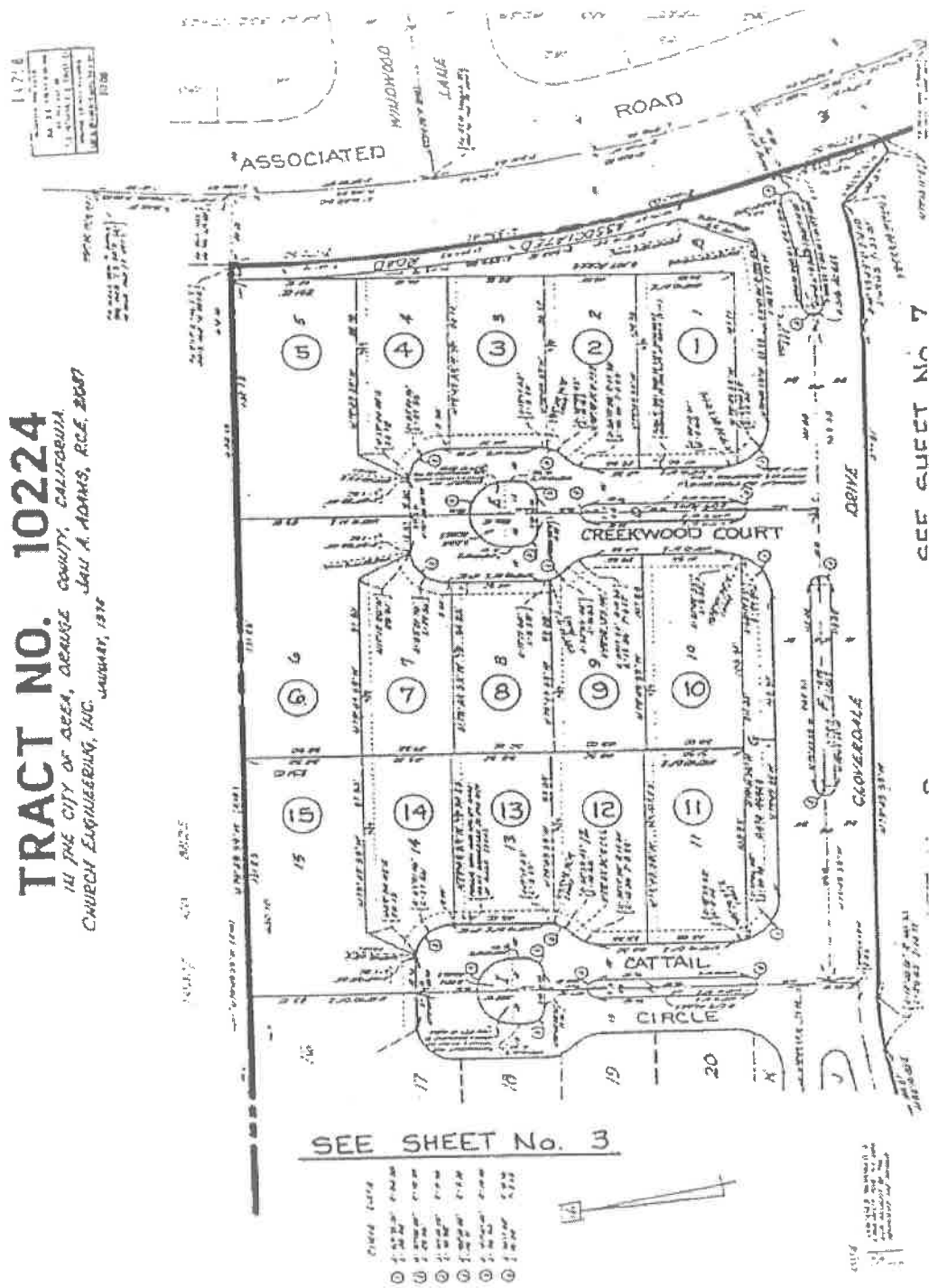
District No. 4 is generally located east of the Orange Freeway, North of Birch Street and the Southern Pacific Railroad right of way and South and West of Associated Road. The lands within the District boundaries include Tract 10224, Tract 10324, Tract 10325, Tract 10326, Tract 10327 and Tract 9298 in the City of Brea, County of Orange, State of California. The entire Project is commonly known as "Park Paseo" project in the City of Brea.

The boundaries of the District are described as the North line of Tract 10224, the Easterly line of Tracts 10224 and Tract 10324, the Northerly line of Tracts 10326, Tract 10327 and Tract 9298, the Easterly line of Tract 9298 together with the South line of Tract 9298 and the Southerly line of Tract 10327, Tract 10326, Tract 10325, Tract 10324 and the West line and North line of Tract 10324 in the City of Brea, County of Orange, State of California.

Also, the lines and dimensions of each lot or parcel within the Districts are those lines and dimensions shown on the maps of the Assessor of the County of Orange for Fiscal Year 2015-16. The Assessor's maps and records are incorporated by reference herein and made part of this report.

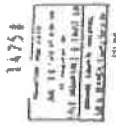


ASSESSMENT DIAGRAM
CITY OF BREA STREET LIGHTING ASSESSMENT
DISTRICT No. 4
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA
SHEET 1 OF 17



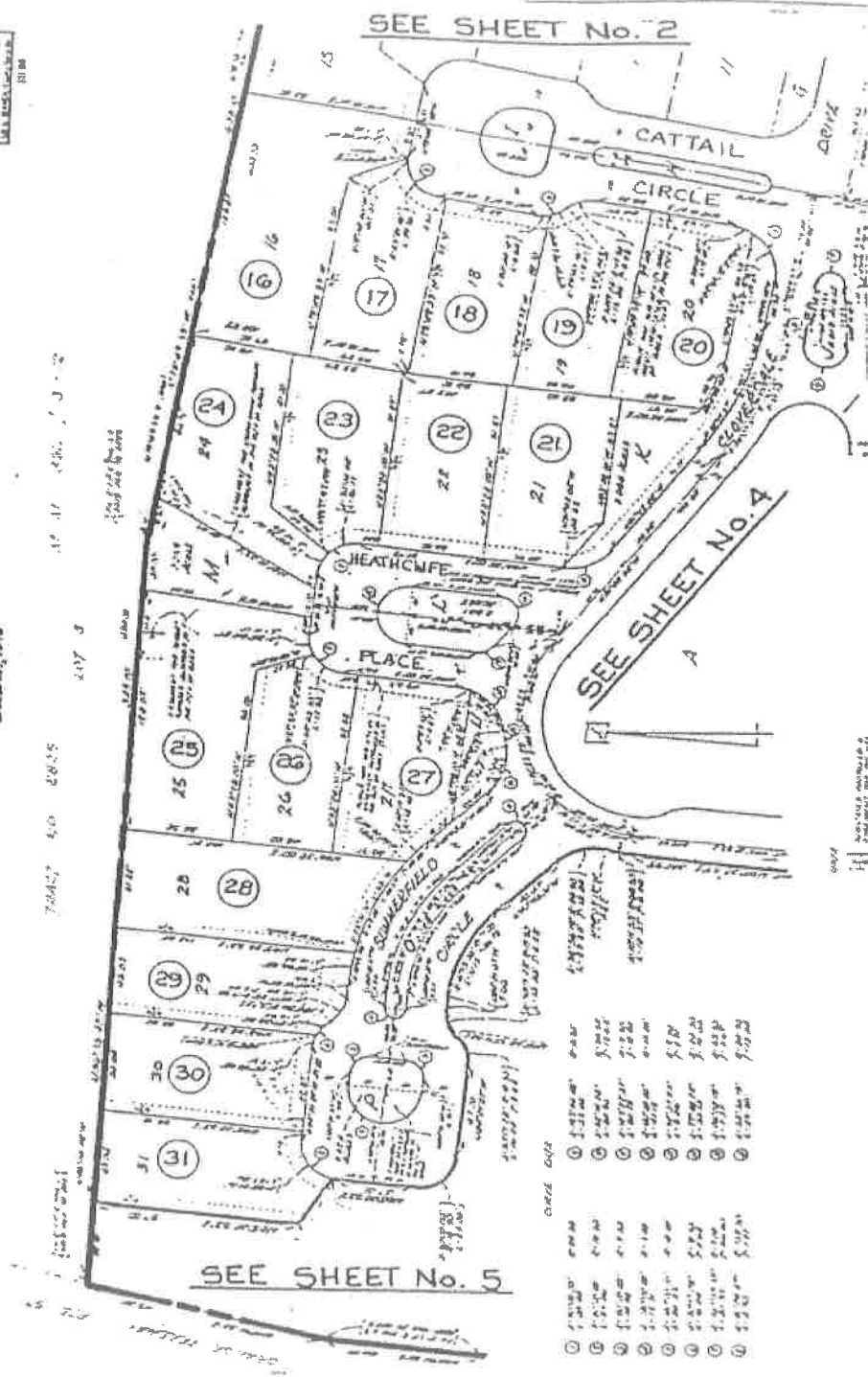
ASSESSMENT DIAGRAM
CITY OF BREA STREET LIGHTING ASSESSMENT
DISTRICT No. 4
 IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA
 SHEET 2 OF 1

156 16



TRACT NO. 10224

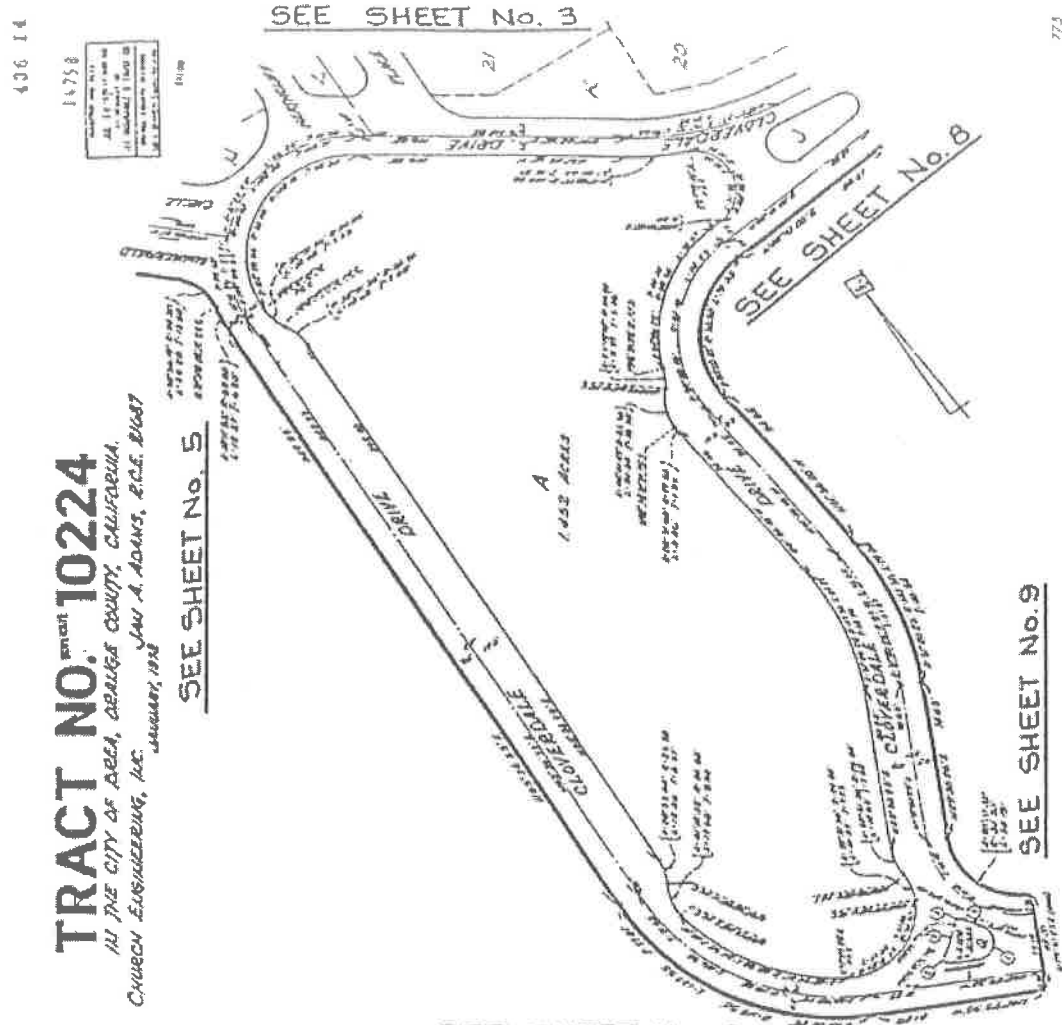
IN THE CITY OF BREA, ORANGE COUNTY, CALIFORNIA.
 CHURCH ENGINEERING, INC. JAU A. ADAMS, R.C.E. 2647
 JANUARY 1982



ASSESSMENT DIAGRAM

**CITY OF BREA STREET LIGHTING ASSESSMENT
 DISTRICT No. 4**

IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA
 SHEET 3 OF 17



TRACT NO. 10224
 IN THE CITY OF BREA, ORANGE COUNTY, CALIFORNIA
 JANI A. ADAMS, E.C.E., DIST.
 CHURCH ENGINEERING, INC.
 JANUARY, 1998

SEE SHEET No. 6

- LEGEND**
- 1 - PROPOSED STREET LIGHTS
 - 2 - EXISTING STREET LIGHTS
 - 3 - PROPOSED STREET LIGHTS - 150' SPACING
 - 4 - PROPOSED STREET LIGHTS - 200' SPACING
 - 5 - PROPOSED STREET LIGHTS - 250' SPACING
 - 6 - PROPOSED STREET LIGHTS - 300' SPACING
 - 7 - PROPOSED STREET LIGHTS - 350' SPACING
 - 8 - PROPOSED STREET LIGHTS - 400' SPACING
 - 9 - PROPOSED STREET LIGHTS - 450' SPACING
 - 10 - PROPOSED STREET LIGHTS - 500' SPACING
- NOTES:**
1. ALL PROPOSED STREET LIGHTS ARE TO BE INSTALLED AT THE INTERSECTION OF THE STREET AND THE PROPERTY LINE.
 2. ALL PROPOSED STREET LIGHTS ARE TO BE INSTALLED AT THE INTERSECTION OF THE STREET AND THE PROPERTY LINE.
 3. ALL PROPOSED STREET LIGHTS ARE TO BE INSTALLED AT THE INTERSECTION OF THE STREET AND THE PROPERTY LINE.
 4. ALL PROPOSED STREET LIGHTS ARE TO BE INSTALLED AT THE INTERSECTION OF THE STREET AND THE PROPERTY LINE.
 5. ALL PROPOSED STREET LIGHTS ARE TO BE INSTALLED AT THE INTERSECTION OF THE STREET AND THE PROPERTY LINE.
 6. ALL PROPOSED STREET LIGHTS ARE TO BE INSTALLED AT THE INTERSECTION OF THE STREET AND THE PROPERTY LINE.
 7. ALL PROPOSED STREET LIGHTS ARE TO BE INSTALLED AT THE INTERSECTION OF THE STREET AND THE PROPERTY LINE.
 8. ALL PROPOSED STREET LIGHTS ARE TO BE INSTALLED AT THE INTERSECTION OF THE STREET AND THE PROPERTY LINE.
 9. ALL PROPOSED STREET LIGHTS ARE TO BE INSTALLED AT THE INTERSECTION OF THE STREET AND THE PROPERTY LINE.
 10. ALL PROPOSED STREET LIGHTS ARE TO BE INSTALLED AT THE INTERSECTION OF THE STREET AND THE PROPERTY LINE.

ASSESSMENT DIAGRAM

**CITY OF BREA STREET LIGHTING ASSESSMENT
DISTRICT No. 4**

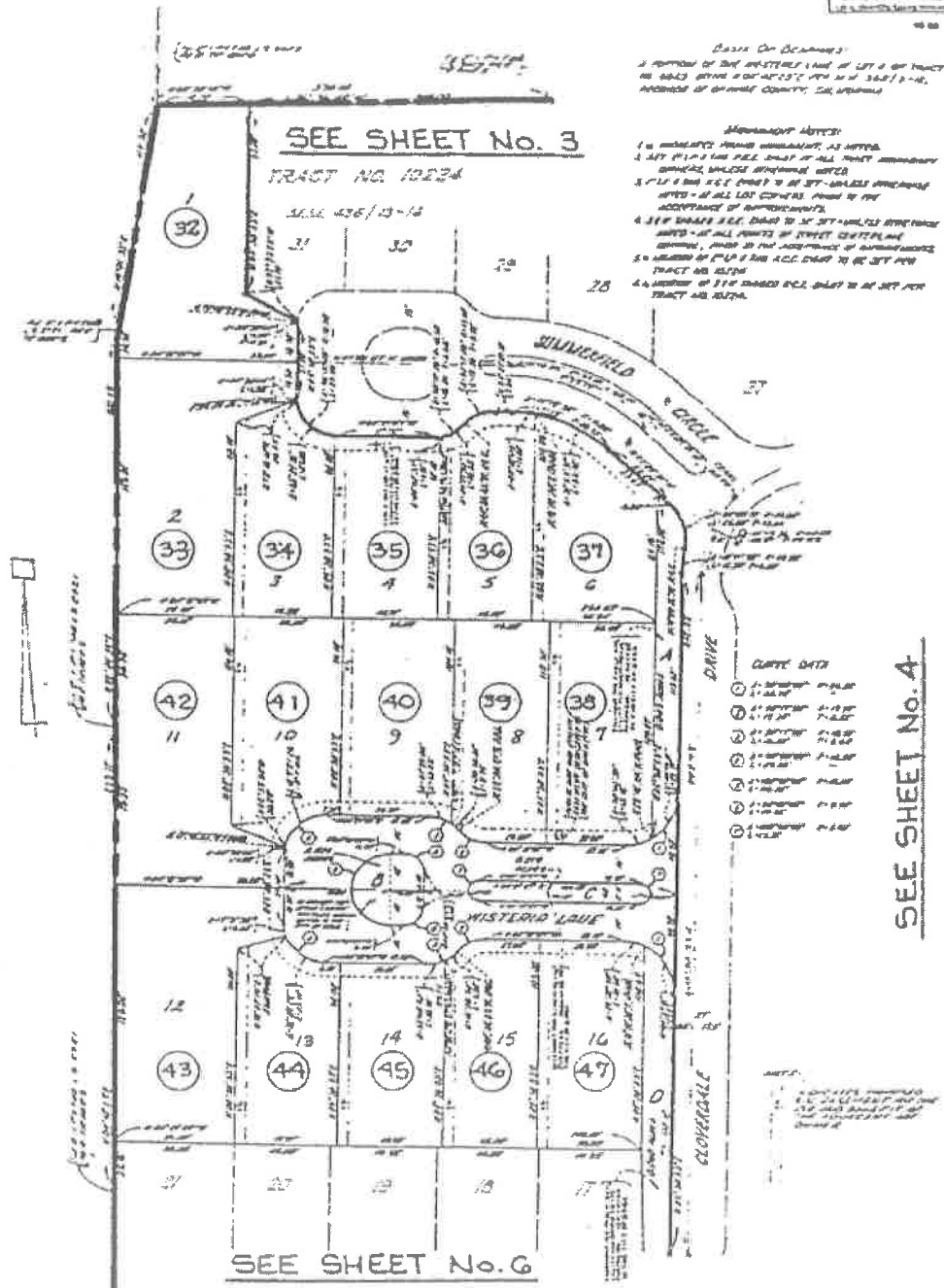
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA
SHEET 4 OF 17

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TRACT NO. 10324

IN THE CITY OF BREA, ORANGE COUNTY, CALIFORNIA.
 CHURCH ENGINEERING, INC. JAN. A. ADAMS, R.C.E. 21687
 AUGUST, 1976

34985



ASSESSMENT DIAGRAM

CITY OF BREA STREET LIGHTING ASSESSMENT

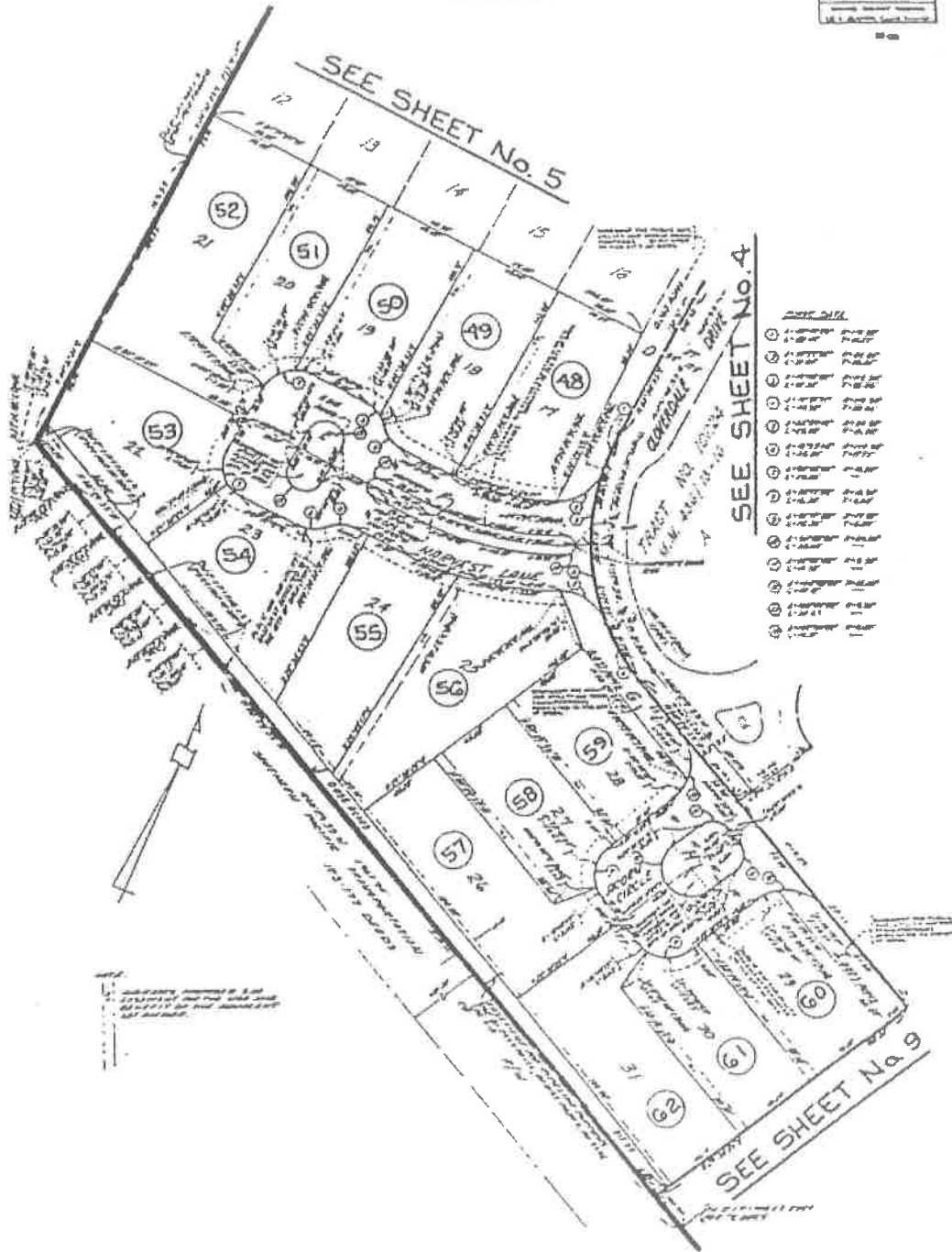
DISTRICT No. 4

IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA

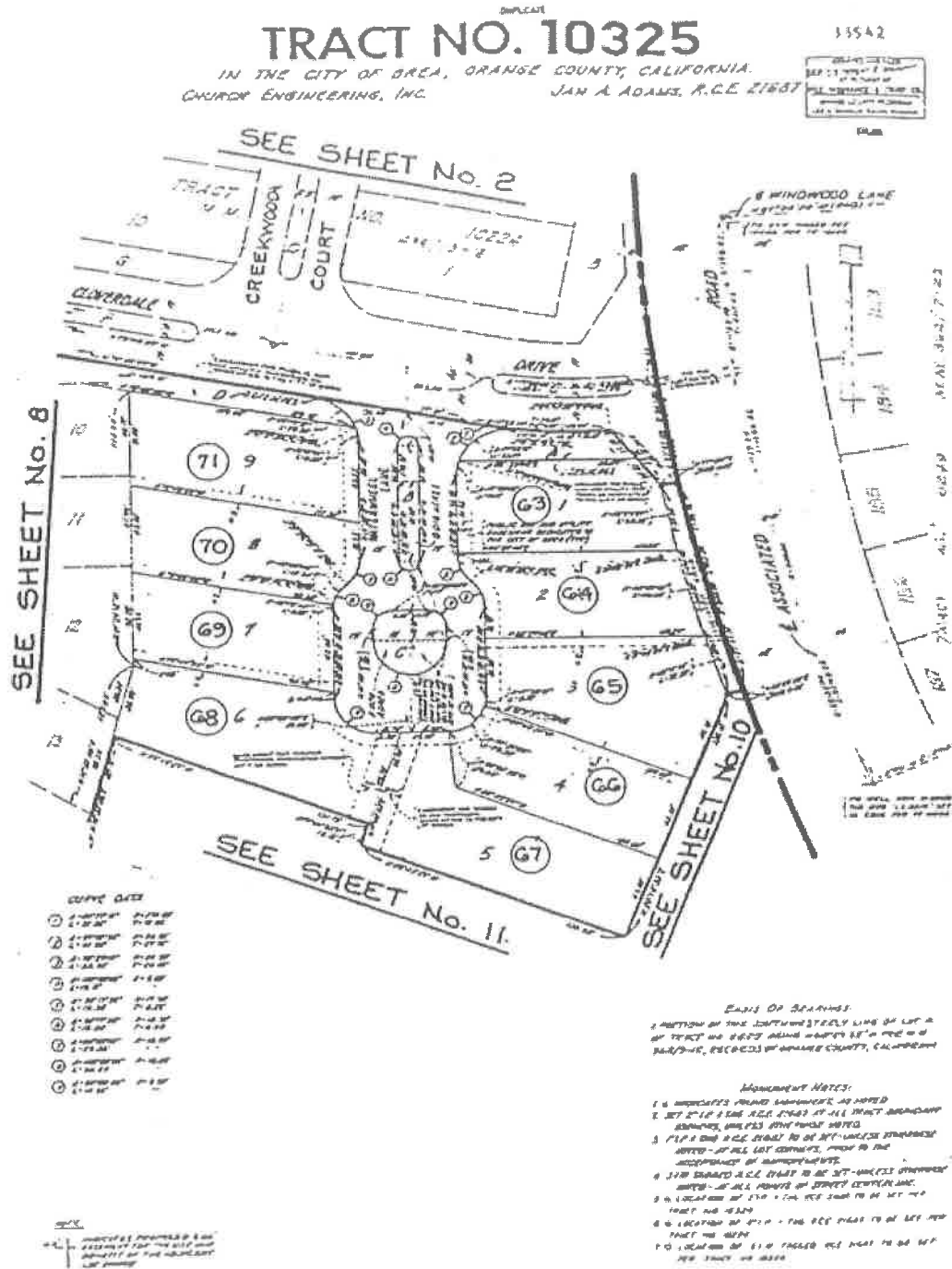
SHEET 5 OF 17

TRACT NO. 10324
 IN THE CITY OF BREA, ORANGE COUNTY, CALIFORNIA.
 CHURCH ENGINEERING, INC. JAN A. ADAMS, R.C.E. 21687
 AUGUST, 1970

34985
 THE CITY OF BREA
 ENGINEER L. FORT
 L. L. ADAMS, Civil Engineer



ASSESSMENT DIAGRAM
CITY OF BREA STREET LIGHTING ASSESSMENT
DISTRICT No. 4
 IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA
 SHEET 6 OF 17

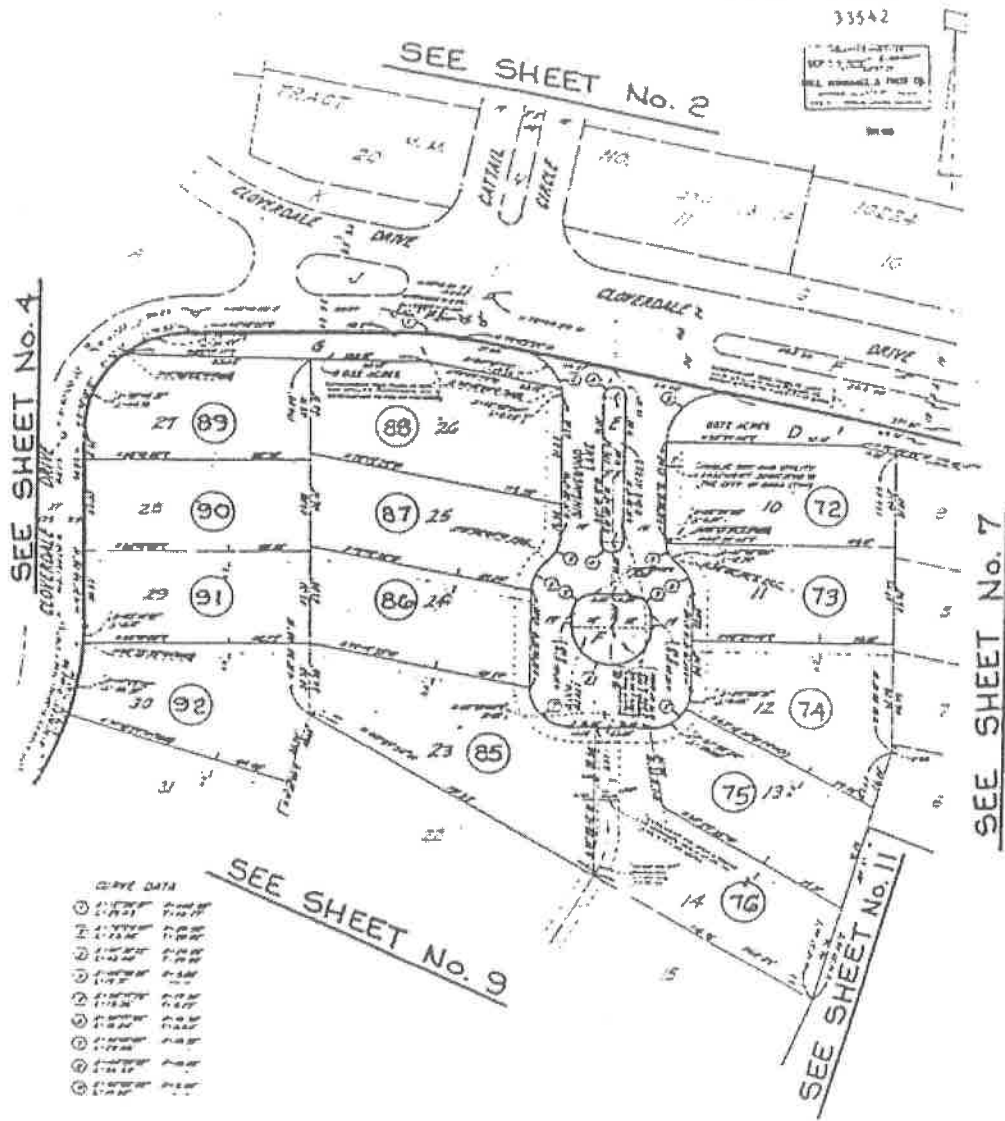


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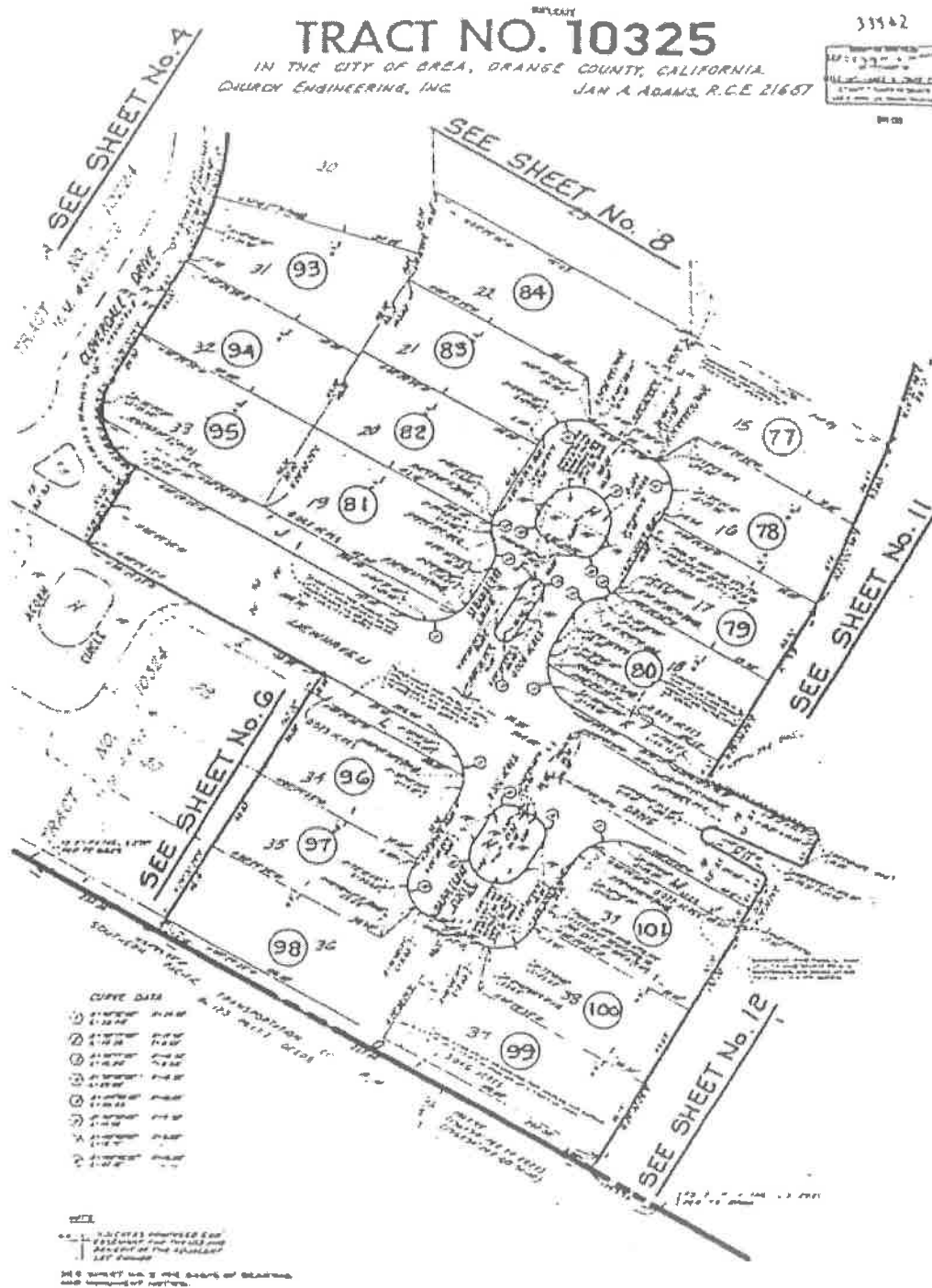
CITY OF BREA STREET LIGHTING ASSESSMENT DISTRICT No. 4

IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA
 SHEET 7 OF 17

TRACT NO. 10325
 IN THE CITY OF BREA, ORANGE COUNTY, CALIFORNIA
 CHURCH ENGINEERING, INC. JAN A. ADAMS, P.C.E. E1687

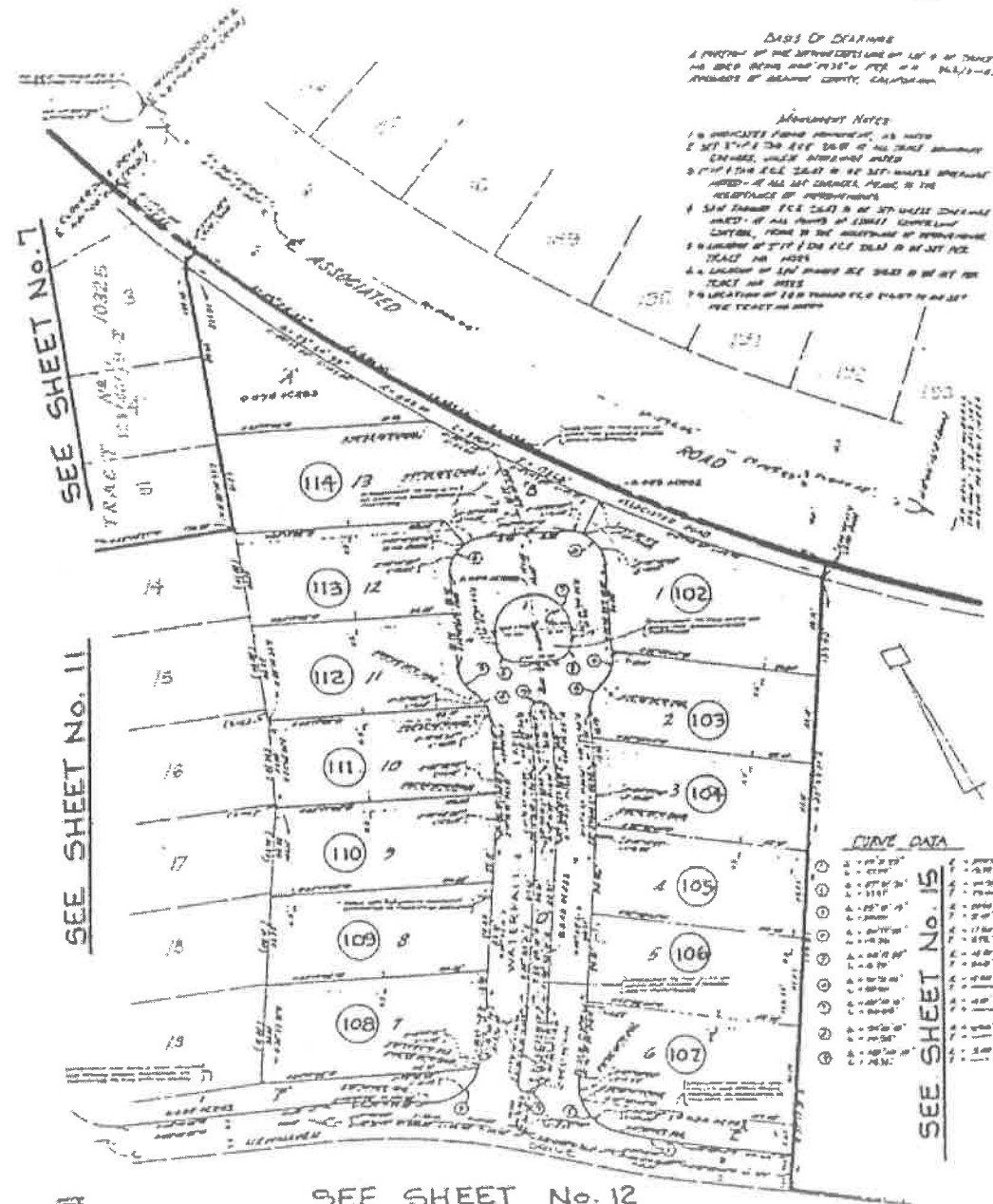


ASSESSMENT DIAGRAM
CITY OF BREA STREET LIGHTING ASSESSMENT
DISTRICT No. 4
 IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA
 SHEET 8 OF 17



ASSESSMENT DIAGRAM
CITY OF BREA STREET LIGHTING ASSESSMENT
DISTRICT No. 4
 IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA
 SHEET 9 OF 17

TRACT NO. 10326
IN THE CITY OF BREA, ORANGE COUNTY, CALIFORNIA
CHURCH ENGINEERING, INC. JAN A. ADAMS, R.C.E. 31671
DECEMBER, 1978



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ASSESSMENT DIAGRAM

CITY OF BREA STREET LIGHTING ASSESSMENT DISTRICT No. 4
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA
SHEET 10 OF 17

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TRACT NO. 10326

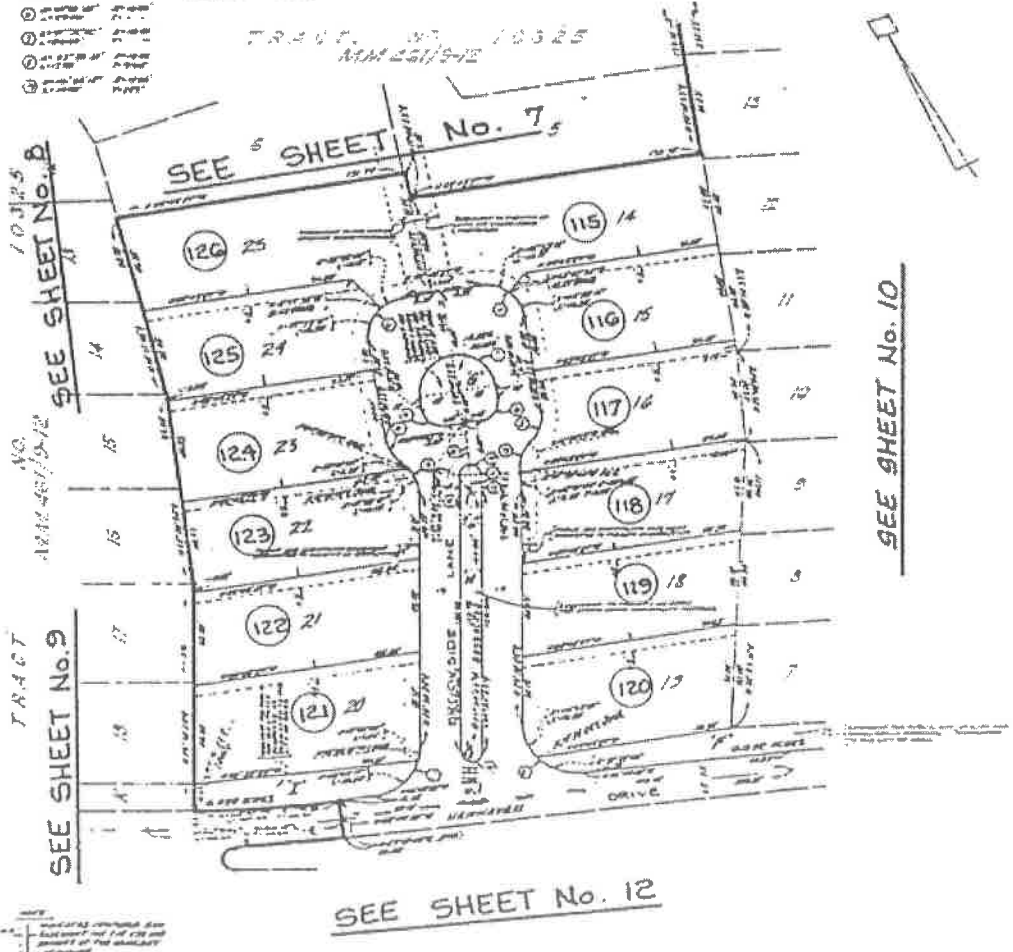
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 CHURCH ENGINEERING, INC. JAN A. ADAMS, R.C.E. 21-67
 DECEMBER, 1978



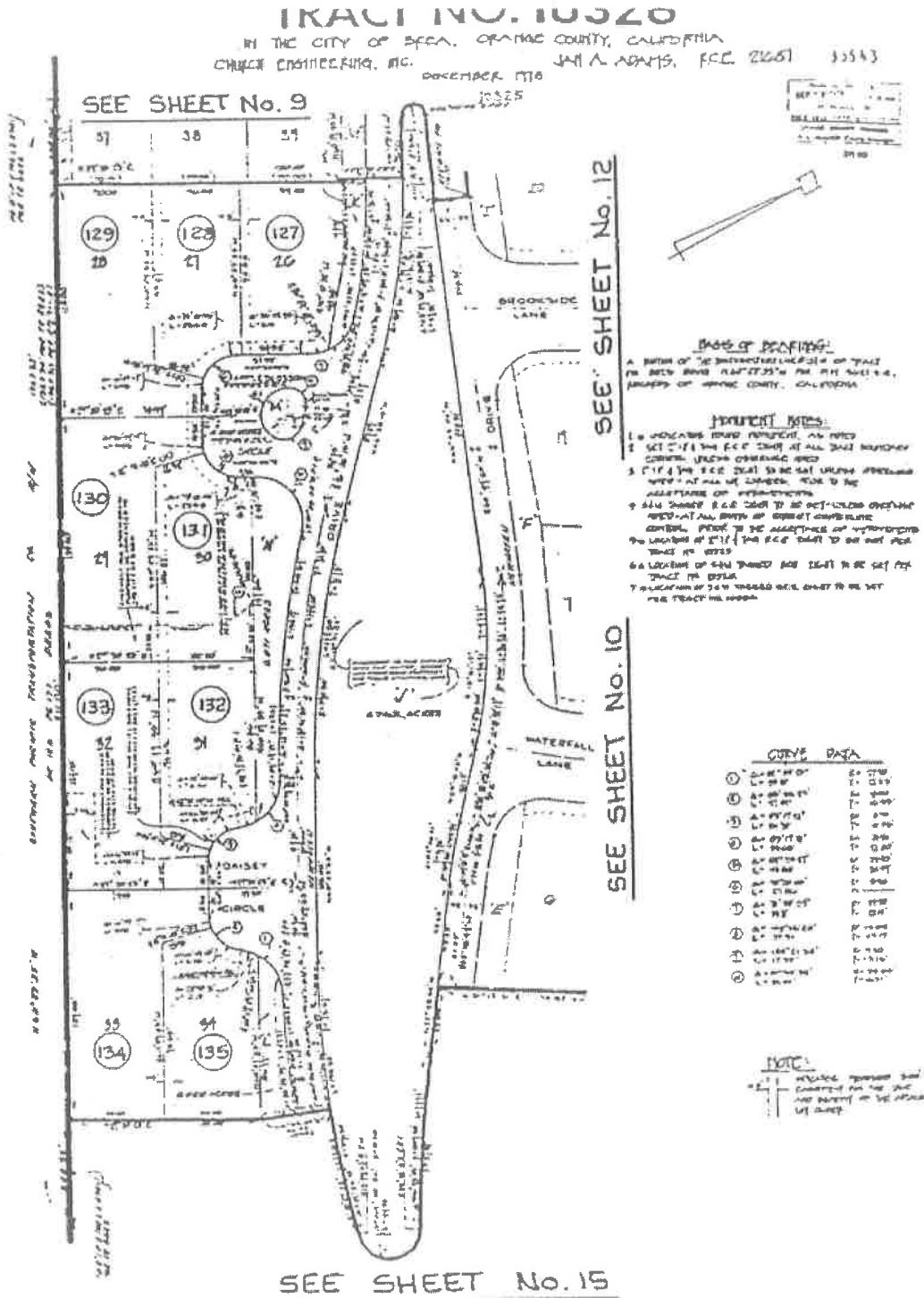
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 A PORTION OF THE INTERSECTION OF THE CITY OF BREA
 AND THE COUNTY OF ORANGE, CALIFORNIA.

MINIMUM NOTES
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5	5.00' 00" 00'	15	15.00' 00" 00'
6	6.00' 00" 00'	16	16.00' 00" 00'
7	7.00' 00" 00'	17	17.00' 00" 00'
8	8.00' 00" 00'	18	18.00' 00" 00'
9	9.00' 00" 00'	19	19.00' 00" 00'
10	10.00' 00" 00'	20	20.00' 00" 00'



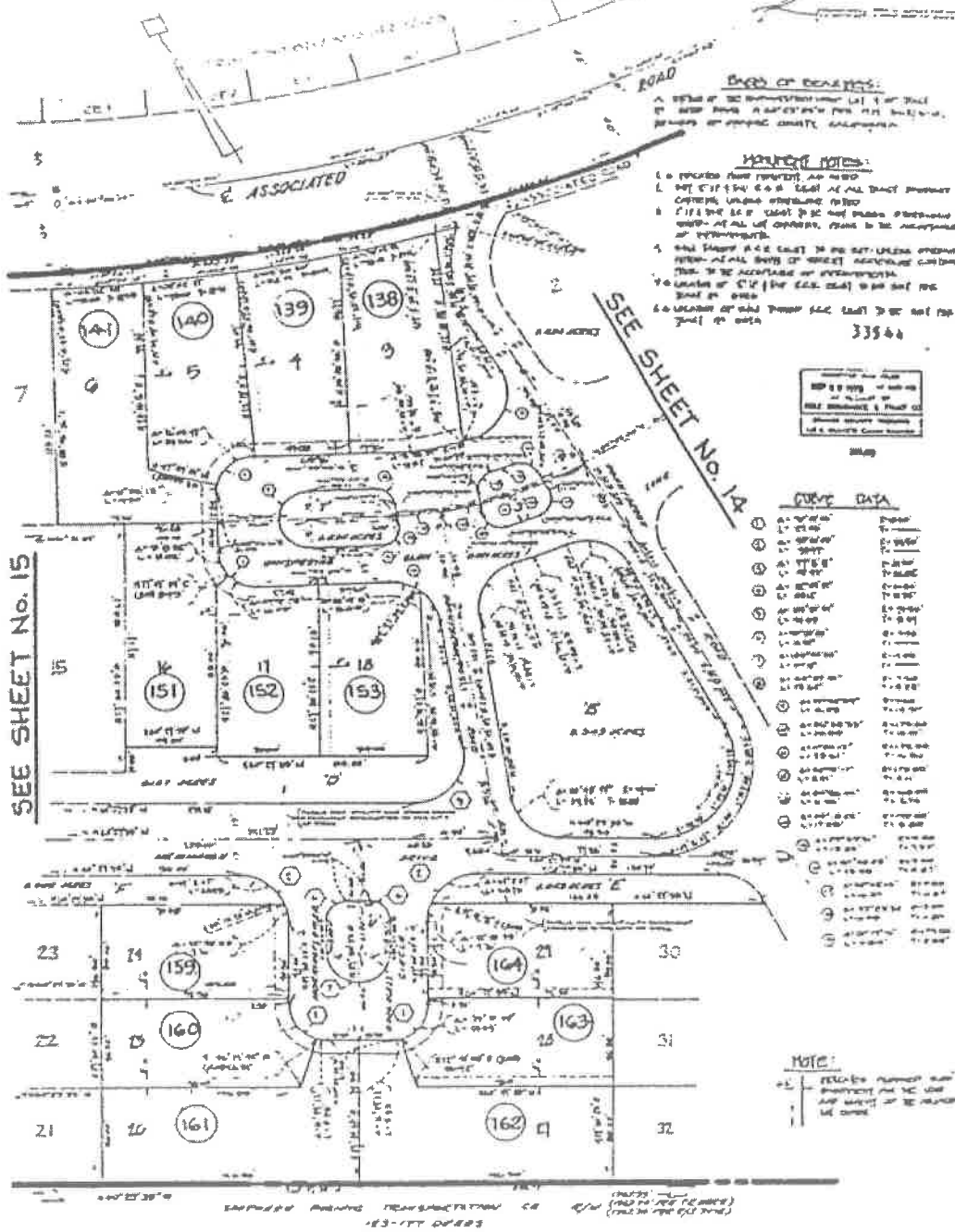
ASSESSMENT DIAGRAM
CITY OF BREA STREET LIGHTING ASSESSMENT
DISTRICT No. 4
 IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA
 SHEET 11 OF 17



ASSESSMENT DIAGRAM
CITY OF BREA STREET LIGHTING ASSESSMENT
DISTRICT No. 4
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA
SHEET 12 OF 17

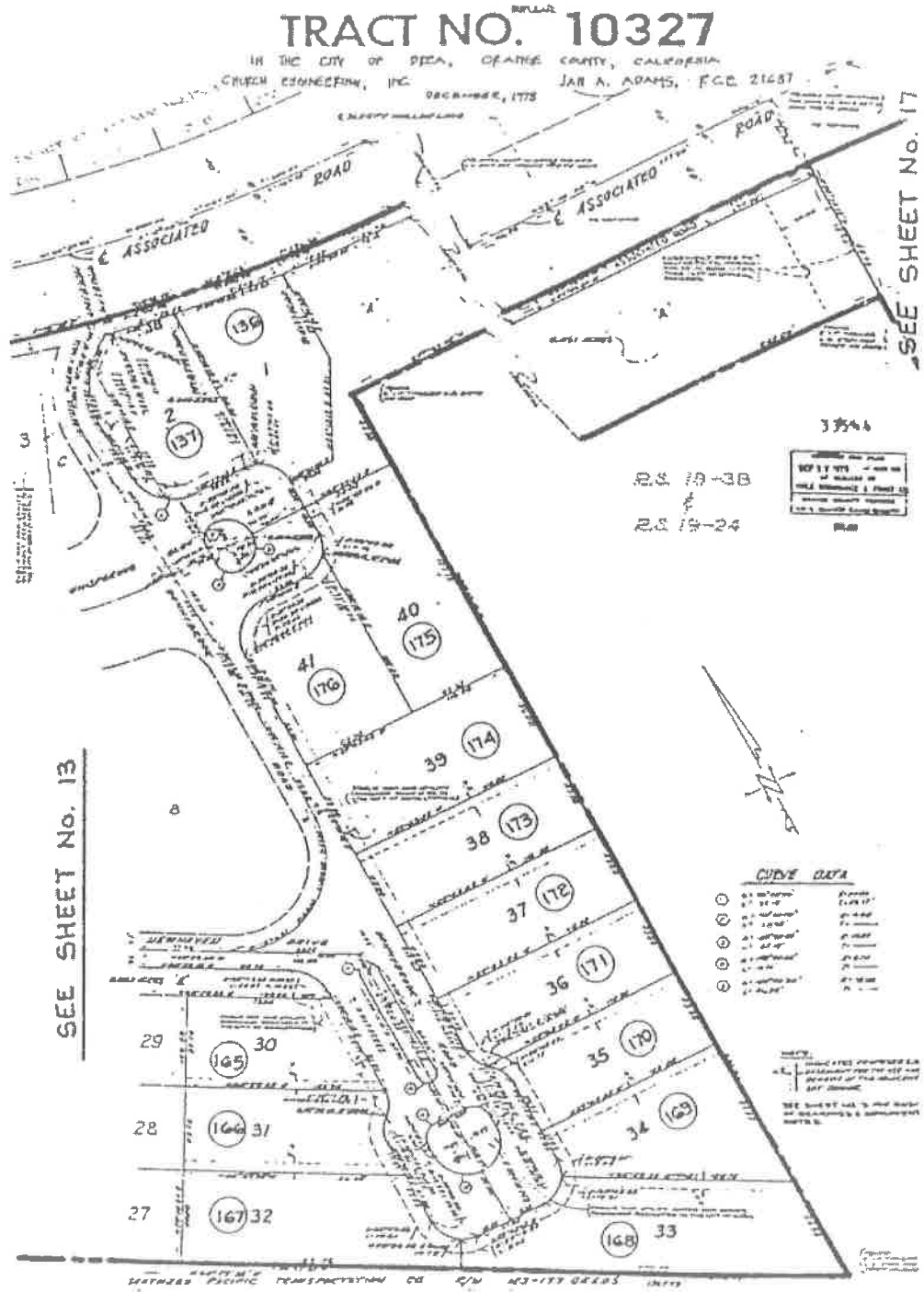
TRACT NO. 10327

IN THE CITY OF BREA, ORANGE COUNTY, CALIFORNIA
CHUCK CHRISTENSEN, ET AL. JAN. A. ADAMS, E.C.E. 21601
DECEMBER, 1918



ASSESSMENT DIAGRAM

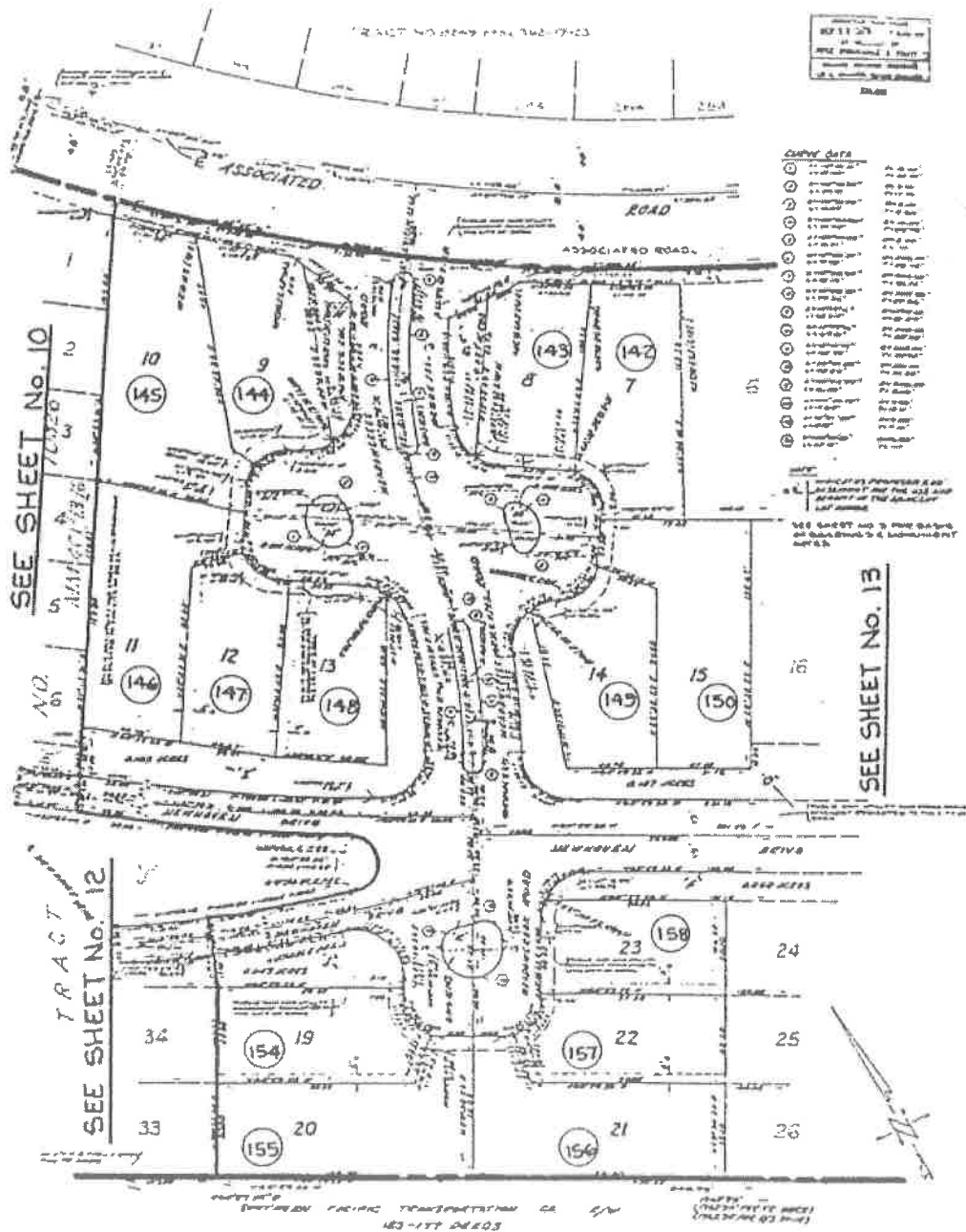
CITY OF BREA STREET LIGHTING ASSESSMENT
DISTRICT No. 4
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA
SHEET 13 OF 17



ASSESSMENT DIAGRAM
CITY OF BREA STREET LIGHTING ASSESSMENT
DISTRICT No. 4
 IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA
 SHEET 14 OF 17

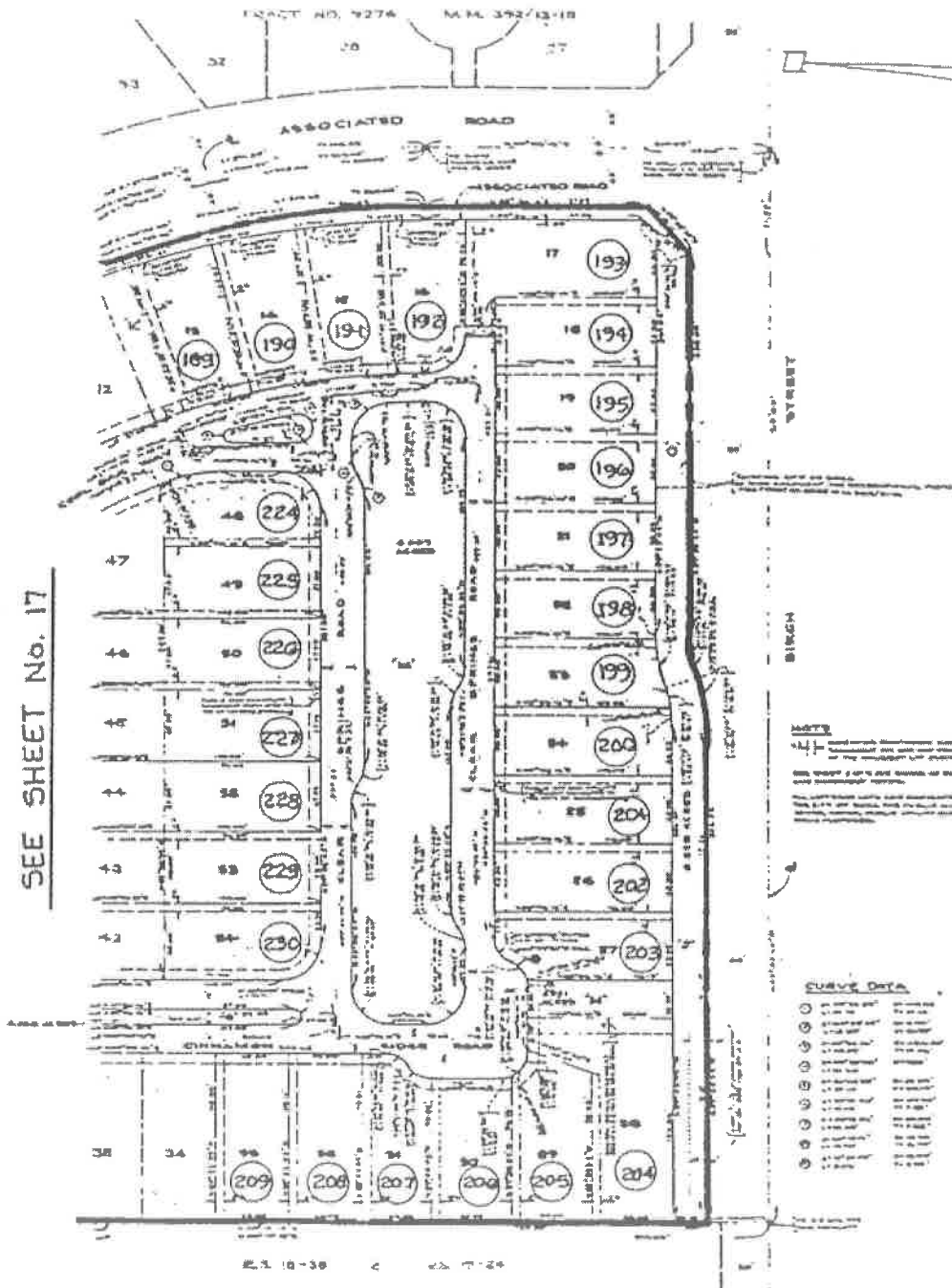
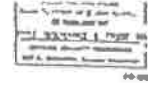
TRACT NO. 10327

IN THE CITY OF BREA, ORANGE COUNTY, CALIFORNIA
 CHUCK CHRISTENSEN, INC. JAN A. ADAMS, P.C.E. 21687 33544
 DEC 8 1982, 1978



ASSESSMENT DIAGRAM
CITY OF BREA STREET LIGHTING ASSESSMENT
DISTRICT No. 4
 IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA
 SHEET 15 OF 17

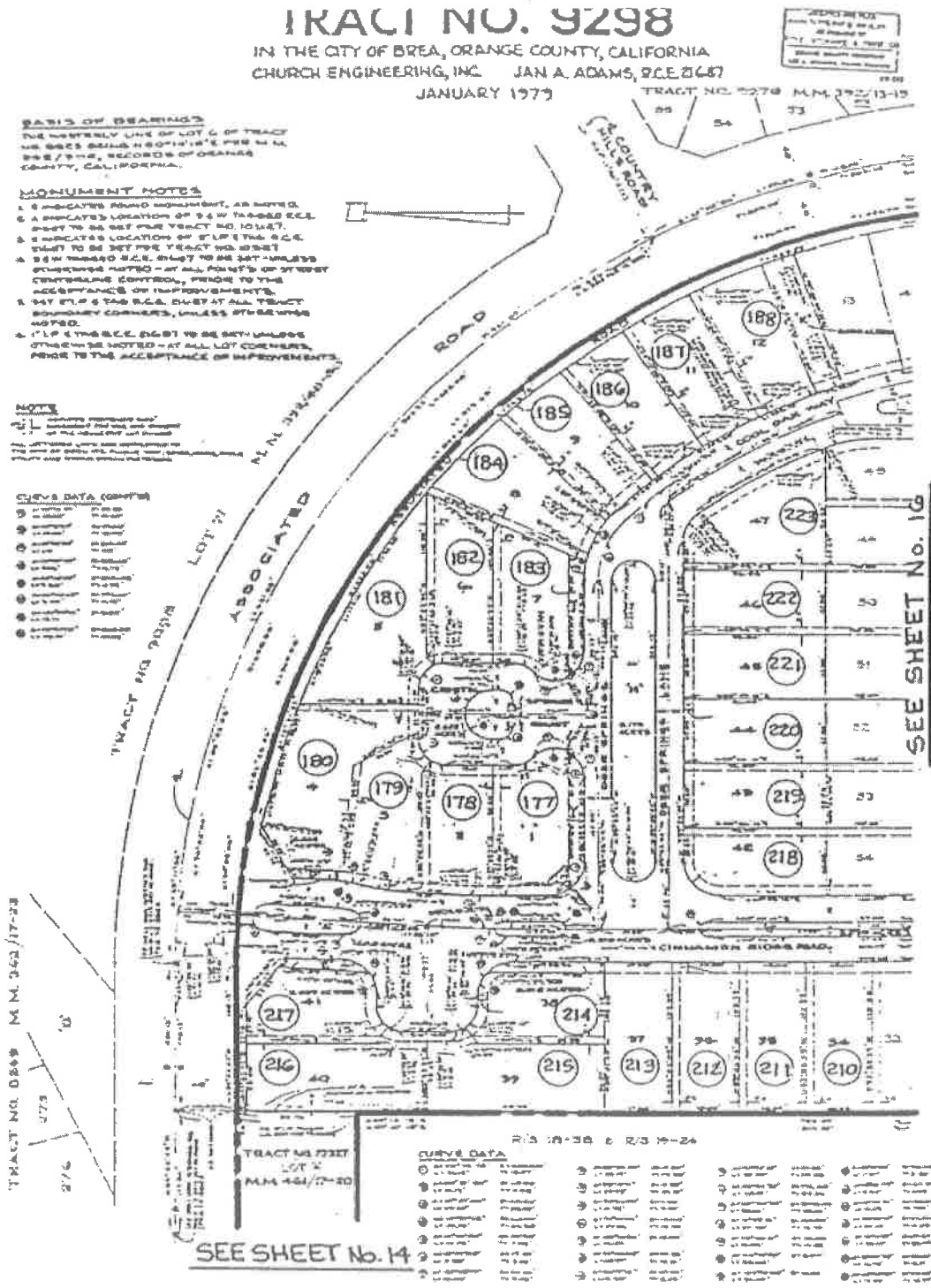
IN THE CITY OF BREA, ORANGE COUNTY, CALIFORNIA
 CHURCH ENGINEERING, INC. JAN A. ADAMS, R.C.E. 2K-87
 JANUARY 1979



ASSESSMENT DIAGRAM

CITY OF BREA STREET LIGHTING ASSESSMENT
 DISTRICT No. 4

IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA
 SHEET 16 OF 17



ASSESSMENT DIAGRAM

CITY OF BREA STREET LIGHTING ASSESSMENT DISTRICT No. 4

IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA
 SHEET 17 OF 17

**Landscape and Lighting
Maintenance District
No. 5
City of Brea**

Prepared under the authority of the
Landscape and Lighting Act of 1972
Streets and Highways Code
State of California

Fiscal Year 2015-16

Submitted by:

Eric Nicoll
Director of Public Works

April 21, 2015

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City of Brea

April 21, 2015

Honorable Mayor and City Council
City of Brea
1 Civic Center Circle
Brea, CA 92821-5732

Re: Engineer's Report, Landscape & Lighting Maintenance District No. 5

Transmitted herewith for your review and consideration is a report entitled, "Landscape and Lighting Maintenance District No. 5, City of Brea."

This report has been prepared in accordance with the Landscape and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code. The report includes all the requirements of the Landscape and Lighting Act of 1972 and the Streets and Highways Code, with particular reference to annual assessments after formation thereof of the District.

The report is submitted herewith for consideration at your next meeting to set a hearing date for the purpose of levying an annual assessment (Streets and Highways Code, Section 22620 to Section 22631). Because we are proposing to increase assessments to cover increased costs, we will be mailing out notices and assessment ballots to all affected property owners, in conformance with Proposition 218.

Respectfully submitted,

Eric Nicoll, Director
Public Works Department

p:\maintenance\maint districts\assessment 15-16\lmd5 1516.doc

City Council

Marty Simonoff
Mayor

Christine Marick
Mayor Pro Tem

Cecilia Hupp
Council Member

Glenn Parker
Council Member

Steven Vargas
Council Member

Civic & Cultural Center • 1 Civic Center Circle • Brea, California 92821-5732 • 714/990-7600 • FAX 714/990-2258 • www.cityofbrea.net

Introduction and Background

Introduction:

This report has been prepared and is submitted for consideration by the City Council of the City of Brea under the authority of the Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code, Article XIID of the California Constitution, and the Proposition 218 Omnibus Implementation Act.

Background:

On June 1, 1982 the City Council of the City of Brea adopted and approved Resolution No. 82-57 creating Landscape and Lighting Maintenance District No. 5 in the City of Brea.

The creating of Landscape and Lighting Maintenance District No. 5 in the City of Brea was a requirement of the City of Brea for the development of Tentative Tract No. 8820, known as "Canyon Country," and Tentative Tract No. 9414, known as "Canyondale."

In FY 2003-04, the property owners submitted ballots and approved an increase in assessment rate. Included in that balloting was an annual CPI escalator that will allow the assessment rate to keep up with the cost of living. The annual escalator sets the maximum rate that the properties might be assessed.

The purpose of this report is to be utilized by the City Staff, the City Council, and the County Assessor in the levy and collection of an annual assessment after formation of an assessment district under the requirements of the Landscaping and Lighting Act of 1972 (State of California and Highways Code, Section 22620 to 22631).

PART A PLANS AND SPECIFICATIONS

The facilities, which consist of slopes, greenbelt areas and theme lighting, will be operated, serviced and maintained as generally described as follows:

Landscaping and Appurtenant Facilities

Facilities include but are not limited to: landscaping, planting, shrubbery, trees, irrigation systems, hardscapes, fixtures, sidewalk maintenance resulting from landscape growth and appurtenant facilities, in public street and sidewalk rights-of-way, including medians, parkways and dedicated easements within the boundaries of the Assessment District.

Lighting, Traffic Signals and Appurtenant Facilities

Facilities include but are not limited to: Poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting and traffic signals in public street and sidewalk rights-of-way and dedicated easements within the boundaries of the Assessment District.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping, public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

Servicing means the furnishing of water for the irrigation of the landscaping and the maintenance of any of the public lighting facilities or appurtenant facilities and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or operation of the landscaping or appurtenant facilities.

The plans and specifications for the improvements, showing and describing the general nature, location, and the extent of the improvements, are on file in the office of the Director of Public Works and are incorporated herein by reference.

PART B ESTIMATE OF COST

The estimated cost of the operation, servicing and maintenance of the street and sidewalk improvements for Fiscal Year 2015-16, as described in Part A, are summarized herein and described below.

MAINTENANCE DISTRICT # 5 - ANNUAL COST FACTORS

Acct #	Description	FY 15-16 Est.
1. Fixed Costs		Expenses
4111	Salaries & Benefits	\$11,710
4113	Overtime	\$100
4243	Engineering	\$0
4244	Legal	\$0
4412	Property Tax Collection	\$140
Fixed Costs Totals		\$11,950
2. ROUTINE COSTS		
4211	Postage	\$55
4249	Svc & Repair Equipment	\$24,000
4261	Repairs to Equipment	\$1,000
4266	Contract Services/Grounds Maintenance	\$26,515
4269	Equipment Service-Other	\$1,000
4282	Electricity	\$1,200
4285	Water	\$37,100
4337	Electrical Supplies & Parts	\$1,500
4339	Construction & Maintenance/Other	\$1,000
4441	Miscellaneous Expense	\$300
5800	Insurance and Other Expenses	\$1,503
Routine Costs Totals		\$95,173
Total Costs (Fixed & Routine)		\$107,123
Est. Fund Balance as of 1-Jul-2015		\$27,037
Projected Reserve Balance 30-Jun-2016		\$8,791
FY 2015-16 Annual Assessments		\$88,877

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the Districts. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the Districts by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.

PART C METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by cities for the purpose of providing certain public improvements which include construction, operation, maintenance and servicing of street lights, traffic signals and landscaping.

Section 22573 of the Landscaping and Lighting Act of 1972 (the 1972 Act) requires that maintenance assessments be levied according to benefit rather than according to assessed value. This section states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

The 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements." (Sec. 22574). Thus, the 1972 Act requires the levy of a true "assessment" based on the actual benefit rather than a "special tax."

In addition, Proposition 218, the "Right to Vote on Taxes Act" which was approved on the November 1996 Statewide ballot and added Article XIID to the California Constitution, requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. XIID provides that only special benefits are assessable and the City must separate the general benefits from the special benefits. XIID also requires that publicly owned property which benefit from the improvements be assessed.

SPECIAL BENEFIT ANALYSIS

Street Landscaping, Slopes and Greenbelts. Trees, landscaping, hardscaping and appurtenant facilities, if well maintained, provide beautification, shade and enhancement of the desirability of the surroundings, and therefore increase property value.

In Parkways and Land Values, written by John Nolan and Henry V. Hubbard in 1937, it is stated:

"... there is no lack of opinion, based on general principals and experience and common sense, that parkways *do in fact add value* to property, even though the amount cannot be determined exactly.... Indeed, in most cases where public money has been spent for parkways the assumption has been definitely made that the proposed parkway will show a *provable* financial profit to the City. It has been believed that the establishment of parkways causes a rise in real estate values throughout the City, or in parts of the City,..."

It should be noted that the definition of "parkways" above may include the roadway as well as the landscaping along side the roadway.

The ongoing operation and maintenance of the street landscaping, slopes and greenways within the district, as identified in Part A of this Report, provide beautification to the areas that result in a special benefit to the parcels within the tracts adjacent to the improvements. If these landscaped areas were not properly maintained, the tract would be blighted.

Theme Lighting. Proper maintenance and operation of pedestrian and street lights benefit all properties within the District by providing security, safety and community character and vitality as outlined below. Streetlights provide only incidental benefits to motorists traveling to, from or through the area.

BENEFITS OF STREET LIGHTING

Security and Safety

- Mitigates crime
- Alleviates the fear of crime
- Enhances safe ingress/egress to property

Community Character and Vitality

- Promotes social interaction
 - Contributes to a positive nighttime visual image
-

ASSESSMENT METHODOLOGY

The parcels of land in the District are single family residential (SFR) lots, with each of these lots benefiting equally from the improvements being maintained. Therefore, the costs associated with the landscaping and lighting within and directly adjacent to the tract will be apportioned on a residential lot basis as follows:

$$\$88,877 / 113 \text{ SFR's} = \$786.52 / \text{SFR}$$

This assessment rate is not considered a maximum rate. This maximum assessment rate will be increased each year by the annual change in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles, Riverside and Orange County areas. The actual assessments levied in any fiscal year will be as approved by the City Council and may not exceed the maximum assessment rate without receiving property owner approval for the increase. The calculation for the maximum assessment rate is provided in the table below. The increase in CPI for FY 2015-16 is .7%.

Maximum Assessment Rate Calculation						
Maximum Asmt for FY 2003-2004	CPI Increase	Maximum Asmt for FY 2004-2005	CPI Increase	Maximum Asmt for FY 2005-2006	CPI Increase	Maximum Asmt for FY 2006-2007
\$679.00 / SFR	1.8%	\$691.22 / SFR	4.4%	\$721.64 / SFR	4.5%	\$754.11 / SFR
CPI Increase	Maximum Asmt for FY 2007-2008	CPI Increase	Maximum Asmt for FY 2008-2009	CPI Increase	Maximum Asmt for FY 2009-2010	CPI Increase
4.3%	\$786.54 / SFR	3.3%	\$812.50 / SFR	3.5%	\$840.94 / SFR	0%
Maximum Asmt for FY 2010-2011	CPI Increase	Maximum Asmt for FY 2011-2012	CPI Increase	Maximum Asmt for FY 2012-2013	CPI Increase	Maximum Asmt for FY 2013-2014
\$840.94 /SFR	1.2%	\$851.03 /SFR	2.7%	\$874.00 /SFR	2%	\$891.48 /SFR
CPI Increase	Maximum Asmt for FY 2014-2015	CPI Increase	Maximum Asmt for FY 2015-2016			
1.1%	\$901.28 /SFR	.7%	\$907.59 /SFR			

PART D ASSESSMENT ROLL

The amount of the total proposed assessment for Fiscal Year 2015-16 apportioned to each lot or parcel within the District, as shown on the latest assessment roll at the Orange County Assessor's Office, is contained in the Assessment Roll provided below.

The description of each lot or parcel is part of the Orange County assessment roll and this roll is, by reference, made part of this Report.

AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt
1	30604102	1	9111	\$786.54	41	30604210	27	9473	\$786.54	81	30605318	18	9414	\$786.54
2	30604103	2	9111	\$786.54	42	30604209	28	9473	\$786.54	82	30605319	19	9414	\$786.54
3	30604104	3	9111	\$786.54	43	30604208	29	9473	\$786.54	83	30605320	20	9414	\$786.54
4	30604105	4	9111	\$786.54	44	30604207	30	9473	\$786.54	84	30605321	21	9414	\$786.54
5	30604106	5	9111	\$786.54	45	30604206	31	9473	\$786.54	85	30605322	22	9414	\$786.54
6	30604107	6	9111	\$786.54	46	30604205	32	9473	\$786.54	86	30605323	23	9414	\$786.54
7	30604108	7	9111	\$786.54	47	30604204	33	9473	\$786.54	87	30605324	24	9414	\$786.54
8	30604109	8	9111	\$786.54	48	30604203	34	9473	\$786.54	88	30605325	25	9414	\$786.54
9	30604110	9	9111	\$786.54	49	30604202	35	9473	\$786.54	89	30605326	26	9414	\$786.54
10	30604111	10	9111	\$786.54	50	30604201	36	9473	\$786.54	90	30605327	27	9414	\$786.54
11	30604112	11	9111	\$786.54	51	30604301	37	9473	\$786.54	91	30605328	28	9414	\$786.54
12	30604113	12	9111	\$786.54	52	30604302	38	9473	\$786.54	92	30605329	29	9414	\$786.54
13	30604114	13	9111	\$786.54	53	30604303	39	9473	\$786.54	93	30605330	30	9414	\$786.54
14	30604115	14	9111	\$786.54	54	30604304	40	9473	\$786.54	94	30605331	31	9414	\$786.54
15	30604502	1	9473	\$786.54	55	30604305	41	9473	\$786.54	95	30605103	32	9414	\$786.54
16	30604501	2	9473	\$786.54	56	30604306	42	9473	\$786.54	96	30605102	33	9414	\$786.54
17	30604415	3	9473	\$786.54	57	30604307	43	9473	\$786.54	97	30605101	34	9414	\$786.54
18	30604414	4	9473	\$786.54	58	30604308	44	9473	\$786.54	98	30605201	35	9414	\$786.54
19	30604413	5	9473	\$786.54	59	30604309	45	9473	\$786.54	99	30605202	36	9414	\$786.54
20	30604412	6	9473	\$786.54	60	30604310	46	9473	\$786.54	100	30605203	37	9414	\$786.54
21	30604411	7	9473	\$786.54	61	30604311	47	9473	\$786.54	101	30605204	38	9414	\$786.54
22	30604410	8	9473	\$786.54	62	30604312	48	9473	\$786.54	102	30605205	39	9414	\$786.54
23	30604409	9	9473	\$786.54	63	30604313	49	9473	\$786.54	103	30605206	40	9414	\$786.54
24	30604408	10	9473	\$786.54	64	30605301	1	9414	\$786.54	104	30605207	41	9414	\$786.54
25	30604407	11	9473	\$786.54	65	30605302	2	9414	\$786.54	105	30605208	42	9414	\$786.54
26	30604406	12	9473	\$786.54	66	30605303	3	9414	\$786.54	106	30605209	43	9414	\$786.54
27	30604405	13	9473	\$786.54	67	30605304	4	9414	\$786.54	107	30605210	44	9414	\$786.54
28	30604404	14	9473	\$786.54	68	30605305	5	9414	\$786.54	108	30605211	45	9414	\$786.54
29	30604403	15	9473	\$786.54	69	30605306	6	9414	\$786.54	109	30605212	46	9414	\$786.54
30	30604402	16	9473	\$786.54	70	30605307	7	9414	\$786.54	110	30605213	47	9414	\$786.54
31	30604401	17	9473	\$786.54	71	30605308	8	9414	\$786.54	111	30605214	48	9414	\$786.54
32	30604219	18	9473	\$786.54	72	30605309	9	9414	\$786.54	112	30605215	49	9414	\$786.54
33	30604218	19	9473	\$786.54	73	30605310	10	9414	\$786.54	113	30605216	50	9414	\$786.54
34	30604217	20	9473	\$786.54	74	30605311	11	9414	\$786.54					
35	30604216	21	9473	\$786.54	75	30605312	12	9414	\$786.54					
36	30604215	22	9473	\$786.54	76	30605313	13	9414	\$786.54					
37	30604214	23	9473	\$786.54	77	30605314	14	9414	\$786.54					
38	30604213	24	9473	\$786.54	78	30605315	15	9414	\$786.54					
39	30604212	25	9473	\$786.54	79	30605316	16	9414	\$786.54					
40	30604211	26	9473	\$786.54	80	30605317	17	9414	\$786.54					

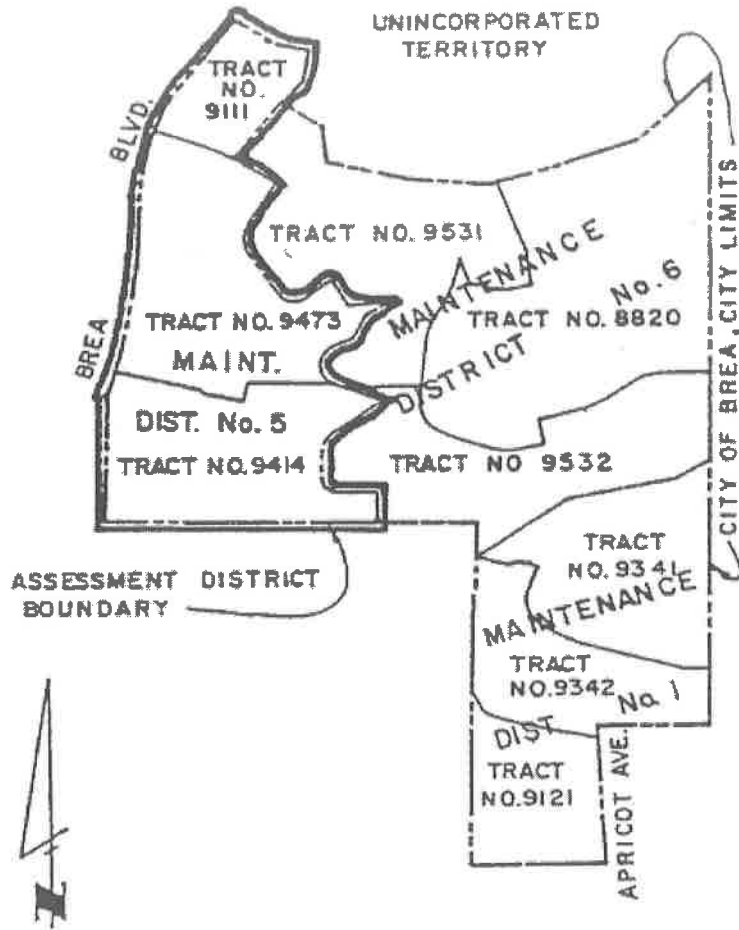
PART E ASSESSMENT DISTRICTS' BOUNDARIES

A diagram of the boundaries of Landscape and Lighting Maintenance District No. 5 is included herein.

District No. 5 is generally located east of Brea Boulevard and north of State College Boulevard, and includes Tract Nos. 9111, 9414 and 9473.





District No. 5 includes all properties in the City of Brea located within the tract boundary of Tract No. 9111 recorded in Book 374, Pages 24, 25 and 26 of Tract No. 9414 recorded in Book 409, Pages 8 and 9, and of Tract No. 9473 recorded in Book 291, Pages 26, 27 and 28 all of Miscellaneous Maps, records of Orange County, California.

Also, the lines and dimensions of each lot or parcel within the Districts are those lines and dimensions shown on the maps of the Assessor of the County of Orange for Fiscal Year 2015-16. The Assessor's maps and records are incorporated by reference herein and made part of this report.



SCALE : 1" = 600'

LEGEND

-  ASSESSMENT DISTRICT BOUNDRY
-  TRACT BOUNDRY
-  ASSESSMENT DISTRICT NUMBER
-  TRACT LOT NUMBER

113 PARCELS

SHEET 1 OF

ASSESSMENT DIAGRAM
**LIGHTING & MAINTENANCE
 ASSESSMENT DISTRICT NO. 5**

IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA

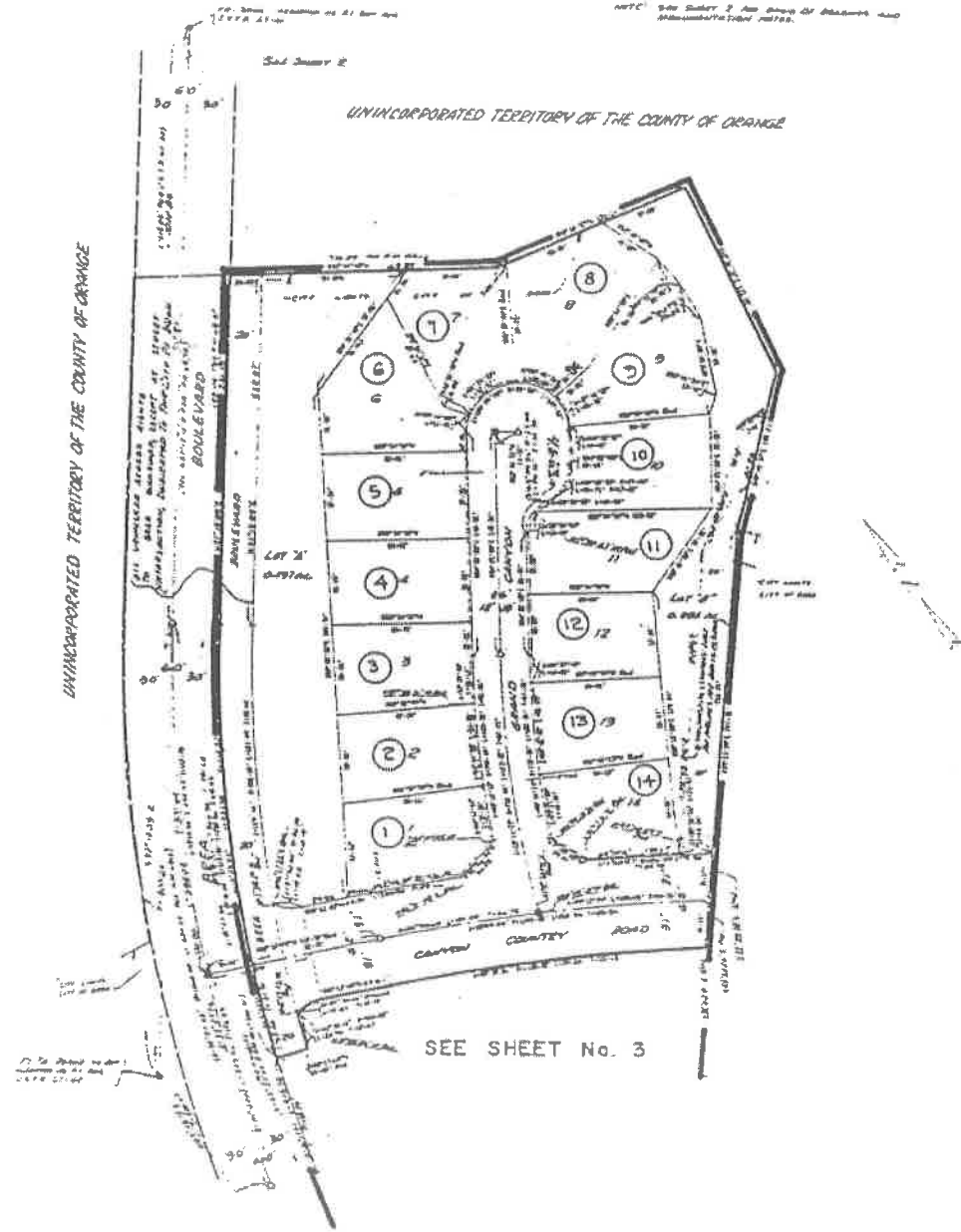
TRACT NO. 9111
BY THE CITY OF BREAA
COUNTY OF ORANGE, STATE OF CALIFORNIA.

RICHARD E. MC COY
DATE NOV 20 1975

OCTOBER, 1975

TOUPE CORPORATION

31247
APR 24 1975
COUNTY OF ORANGE
RECORDS & CLERK
FEE \$10.00
COUNTY CLERK'S OFFICE
30-01



113 PARCELS
ASSESSMENT DIAGRAM
LIGHTING & MAINTENANCE
ASSESSMENT DISTRICT NO. 5
IN THE CITY OF BREAA, COUNTY OF ORANGE, STATE OF CALIFORNIA

SHEET 2 OF 4

FORGAGE: 11003 AC
NO. LOTS: 60 AND LOT 71

TRACT NO 9473
IN THE CITY OF BREA,
COUNTY OF ORANGE, STATE OF CALIFORNIA

345
DEC 1978
SEE SHEET 3 OF 4

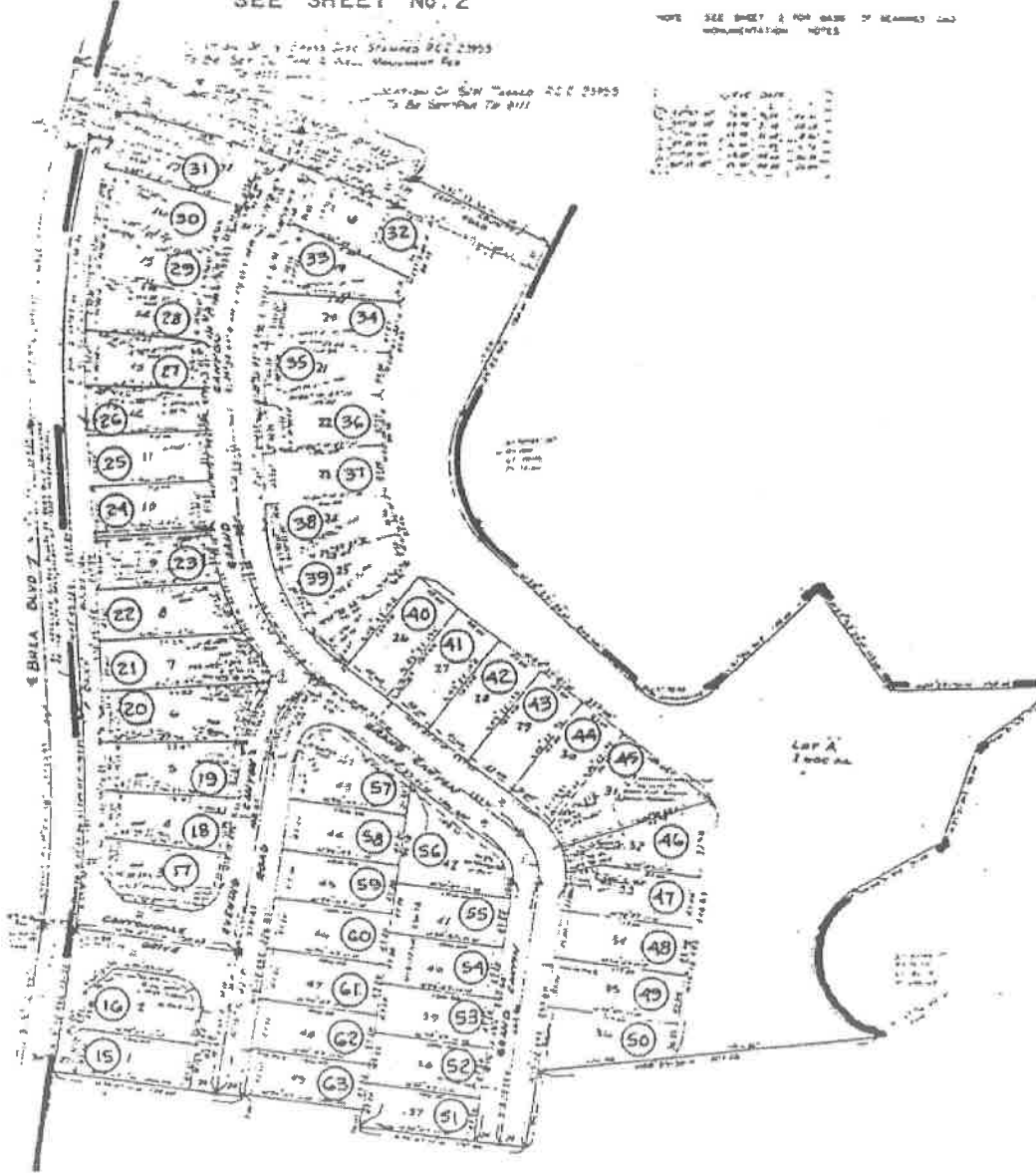
RICHARD E. MCCOY
R.C.E. NO. 23933

JULY, 1976

DUCA AND MCCOY

SEE SHEET No. 2

NOTE: SEE SHEET 2 FOR BASIS OF MEASUREMENTS AND NOTES



SEE SHEET No. 4

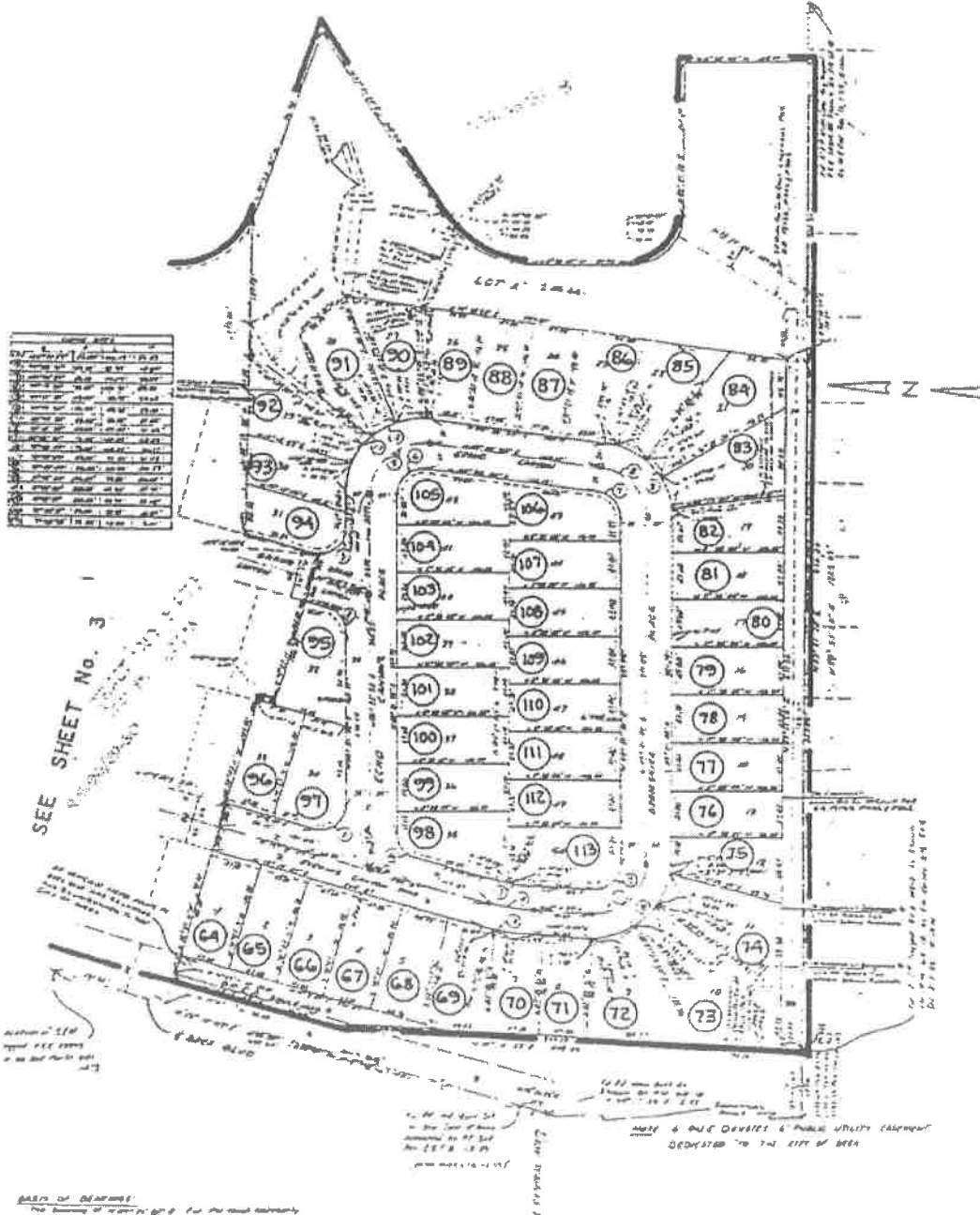
113 PARCELS SHEET 3 OF 4
ASSESSMENT DIAGRAM.
LIGHTING & MAINTENANCE
ASSESSMENT DISTRICT NO. 5
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA

TRACT NO. 3111
 IN THE CITY OF BREA,
 COUNTY OF ORANGE, STATE OF CALIFORNIA

RICHARD E. WILCOY
 L.C.E. 27941

DISCONTINUED, 1976

EMCA AND WOODY
 CIVIL ENGINEERS - PLANNERS



BASE OF DISTRICT
 The boundaries of the district are as shown on the map and are subject to change by the Board of Supervisors at any time.

113 PARCELS SHEET 4 OF 4
 ASSESSMENT DIAGRAM
 LIGHTING & MAINTENANCE
 ASSESSMENT DISTRICT NO. 5
 IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA

**Landscape and Lighting
Maintenance District
No. 6**

City of Brea

Prepared under the authority of the
Landscape and Lighting Act of 1972
Streets and Highways Code
State of California

Fiscal Year 2015-16

Submitted by:

**Eric Nicoll
Director of Public Works**

April 21, 2015

TABLE OF CONTENTS

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Part A - Plans and Specifications	2
Part B - Estimate of Cost	3
Part C - Method of Apportionment of Assessment	4
Part D - Assessment Roll.....	6
Part E - Assessment District Boundary	8



City of Brea

April 21, 2015

Honorable Mayor and City Council
City of Brea
1 Civic Center Circle
Brea, CA 92821-5732

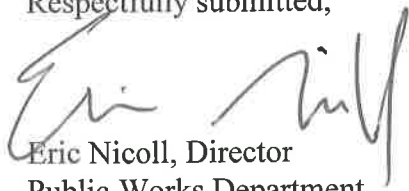
Re: Engineer's Report, Landscape & Lighting Maintenance District No. 6

Transmitted herewith for your review and consideration is a report entitled, "Landscape and Lighting Maintenance District No. 6, City of Brea."

This report has been prepared in accordance with the Landscape and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code. The report includes all the requirements of the Landscape and Lighting Act of 1972 and the Streets and Highways Code, with particular reference to annual assessments after formation thereof of the District.

The report is submitted herewith for consideration at your next meeting to set a hearing date for the purpose of levying an annual assessment (Streets and Highways Code, Section 22620 to Section 22631).

Respectfully submitted,



Eric Nicoll, Director
Public Works Department

p:\maintenance\maint districts\assessment 15-16\lmd6 1516.doc

City Council

Marty Simonoff
Mayor

Christine Marick
Mayor Pro Tem

Cecilia Hupp
Council Member

Glenn Parker
Council Member

Steven Vargas
Council Member

Civic & Cultural Center • 1 Civic Center Circle • Brea, California 92821-5732 • 714/990-7600 • FAX 714/990-2258 • www.cityofbrea.net

Introduction and Background

Introduction:

This report has been prepared and is submitted for consideration by the City Council of the City of Brea under the authority of the Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code.

Background:

On June 1, 1982 the City Council of the City of Brea adopted and approved Resolution No. 83-58 creating Landscape and Lighting Maintenance District No. 6 in the City of Brea.

The creating of Landscape and Lighting Maintenance District No. 6 in the City of Brea was a requirement of the City of Brea for the development of Tentative Tract No. 8820, known as the "Canyon Country" development project.

In FY 2005-06, the property owners submitted ballots and approved an increase in assessment rate. Included in that balloting was an annual CPI escalator that will allow the assessment rate to keep up with the cost of living. The annual escalator sets the maximum rate that the properties might be assessed.

The purpose of this report is to be utilized by the City Staff, the City Council, and the County Assessor in the levy and collection of an annual assessment after formation of an assessment district under the requirements of the Landscaping and Lighting Act of 1972 (State of California and Highways Code, Section 22620 to 22631).

PART A PLANS AND SPECIFICATIONS

The facilities, which consist of slopes, greenbelt areas and theme lighting, will be operated, serviced and maintained as generally described as follows:

Landscaping and Appurtenant Facilities

Facilities include but are not limited to: landscaping, planting, shrubbery, trees, irrigation systems, hardscapes, fixtures, sidewalk maintenance resulting from landscape growth and appurtenant facilities, in public street and sidewalk rights-of-way, including medians, parkways and dedicated easements within the boundaries of the Assessment District.

Lighting, Traffic Signals and Appurtenant Facilities

Facilities include but are not limited to: Poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting and traffic signals in public street and sidewalk rights-of-way and dedicated easements within the boundaries of the Assessment District.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping, public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

Servicing means the furnishing of water for the irrigation of the landscaping and the maintenance of any of the public lighting facilities or appurtenant facilities and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or operation of the landscaping or appurtenant facilities.

The plans and specifications for the improvements, showing and describing the general nature, location, and the extent of the improvements, are on file in the office of the Director of Public Works and are incorporated herein by reference.

PART B ESTIMATE OF COST

The estimated cost of the operation, servicing and maintenance of the street and sidewalk improvements for Fiscal Year 2015-16, as described in Part A, are summarized herein and described below.

MAINTENANCE DISTRICT # 6 - ANNUAL COST FACTORS

Acct #	Description	FY 15-16 Est.
1. Fixed Costs		Expenses
4111	Salaries & Benefits	\$10,880
4113	Overtime	\$100
4243	Engineering	\$0
4244	Legal	\$0
4412	Property Tax Collection	\$440
Fixed Costs Totals		\$11,420
2. ROUTINE COSTS		
4211	Postage	\$65
4249	Svc & Repair Equipment	\$20,000
4261	Repairs to Equipment	\$5,000
4266	Contract Services/Grounds Maintenance	\$71,740
4269	Equipment Service-Other	\$3,000
4282	Electricity	\$4,500
4285	Water	\$75,200
4337	Electrical Supplies & Parts	\$250
4339	Construction & Maintenance/Other	\$1,000
4441	Miscellaneous Expense	\$250
5800	Insurance and Other Expenses	\$1,255
Routine Costs Totals		\$182,260
Total Costs (Fixed & Routine)		\$193,680
Est. Fund Balance as of 1-Jul-2015		\$75,203
Projected Reserve Balance 30-Jun-2016		\$63,773
FY 2015-16 Annual Assessments		\$182,250

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the Districts. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the Districts by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.

PART C METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by cities for the purpose of providing certain public improvements which include construction, operation, maintenance and servicing of street lights, traffic signals and landscaping.

Section 22573 of the Landscaping and Lighting Act of 1972 (the 1972 Act) requires that maintenance assessments be levied according to benefit rather than according to assessed value. This section states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

The 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements." (Sec. 22574). Thus, the 1972 Act requires the levy of a true "assessment" based on the actual benefit rather than a "special tax."

ASSESSMENT METHODOLOGY

The parcels of land in the District are single family residential (SFR) lots, with each of these lots benefiting equally from the improvements being maintained. Therefore, the costs associated with the landscaping and lighting within and directly adjacent to the tract will be apportioned on a residential lot basis as follows:

$$\$182,250 / 135 \text{ SFR's} = \$1,350.00 / \text{SFR}$$

This assessment rate is not the maximum rate. The maximum assessment rate will be increased each year by the annual change in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles, Riverside and Orange County areas. The actual assessments levied in any fiscal year will be as approved by the City Council and may not exceed the maximum assessment rate without receiving property owner approval for the increase. The calculation for the maximum assessment rate is provided in the table below. The increase in CPI for FY 2015-16 is .7%.

Maximum Assessment Rate Calculation						
Maximum Asmt for FY 2005-06	CPI Increase	Maximum Asmt for FY 2006-07	CPI Increase	Maximum Asmt for FY 2007-08	CPI Increase	Maximum Asmt for FY 2008-09
\$1,350 / SFR	4.5%	\$1,411 / SFR	4.3%	\$1,472 / SFR	3.3%	\$1,521 /SFR
CPI Increase	Maximum Asmt for FY 2009-10	CPI Increase	Maximum Asmt for FY 2010-11	CPI Increase	Maximum Asmt for FY 2011-12	CPI Increase
3.5%	\$1,574.24 /SFR	0%	\$1,574.24 /SFR	1.2%	\$1,593.13 /SFR	2.7%
Maximum Asmt for FY 2012-13	CPI Increase	Maximum Asmt for FY 2013-14	CPI Increase	Maximum Asmt for FY 2014-15	CPI Increase	Maximum Asmt for FY 2015-16
\$1,636.14 /SFR	2%	\$1,668.86 /SFR	1.1%	\$1,676.22 /SFR	.7%	\$1,687.95 /SFR

PART D ASSESSMENT ROLL

The amount of the total proposed assessment for Fiscal Year 2015-16 apportioned to each lot or parcel within the District, as shown on the latest assessment roll at the Orange County Assessor's Office, is contained in the Assessment Roll provided below.

The description of each lot or parcel is part of the Orange County assessment roll and this roll is, by reference, made part of this Report.

AD #	APN	Lot	Tract	Annual Asmt	AD #	APN	Lot	Tract	Annual Asmt
1	30606101	1	9531	\$1,350.00	39	30606232	39	9531	\$1,350.00
2	30606102	2	9531	\$1,350.00	40	30606231	40	9531	\$1,350.00
3	30606103	3	9531	\$1,350.00	41	30606230	41	9532	\$1,350.00
4	30606104	4	9531	\$1,350.00	42	30606229	42	9532	\$1,350.00
5	30606105	5	9531	\$1,350.00	43	30608102	43	9532	\$1,350.00
6	30606106	6	9531	\$1,350.00	44	30608103	44	9532	\$1,350.00
7	30606107	7	9531	\$1,350.00	45	30608104	45	9532	\$1,350.00
8	30606201	8	9531	\$1,350.00	46	30608105	46	9532	\$1,350.00
9	30606202	9	9531	\$1,350.00	47	30608106	47	9532	\$1,350.00
10	30606203	10	9531	\$1,350.00	48	30608107	48	9532	\$1,350.00
11	30606205	11	9531	\$1,350.00	49	60608108	49	9532	\$1,350.00
12	30606206	12	9531	\$1,350.00	50	30608110	50	9532	\$1,350.00
13	30606207	13	9531	\$1,350.00	51	30608111	51	9532	\$1,350.00
14	30606208	14	9531	\$1,350.00	52	30608112	52	9532	\$1,350.00
15	30606209	15	9531	\$1,350.00	53	30608113	53	9532	\$1,350.00
16	30606211	16	9531	\$1,350.00	54	30608114	54	9532	\$1,350.00
17	30606213	17	9531	\$1,350.00	55	30608115	55	9532	\$1,350.00
18	30606214	18	9531	\$1,350.00	56	30608116	56	9532	\$1,350.00
19	30606215	19	9531	\$1,350.00	57	30608117	57	9532	\$1,350.00
20	30603236	20	9531	\$1,350.00	58	30608118	58	9532	\$1,350.00
21	30606235	21	9531	\$1,350.00	59	30608129	59	9532	\$1,350.00
22	30606218	22	9531	\$1,350.00	60	30608128	60	9532	\$1,350.00
23	30603220	23	9531	\$1,350.00	61	30608121	61	9532	\$1,350.00
24	30603221	24	9531	\$1,350.00	62	30608122	62	9532	\$1,350.00
25	30603222	25	9531	\$1,350.00	63	30608221	63	9532	\$1,350.00
26	30603223	26	9531	\$1,350.00	64	30608220	64	9532	\$1,350.00
27	30603224	27	9531	\$1,350.00	65	30608219	65	9532	\$1,350.00
28	30606307	28	9531	\$1,350.00	66	30608218	66	9532	\$1,350.00
29	30606308	29	9531	\$1,350.00	67	30608217	67	9532	\$1,350.00
30	30606303	30	9531	\$1,350.00	68	30608216	68	9532	\$1,350.00
31	30606304	31	9531	\$1,350.00	69	30608215	69	9532	\$1,350.00
32	30606305	32	9531	\$1,350.00	70	30608214	70	9532	\$1,350.00
33	30606306	33	9531	\$1,350.00	71	30608213	71	9532	\$1,350.00
34	30603225	34	9531	\$1,350.00	72	30608212	72	9532	\$1,350.00
35	30606226	35	9531	\$1,350.00	73	30608211	73	9532	\$1,350.00
36	30606227	36	9531	\$1,350.00	74	30608210	74	9532	\$1,350.00
37	30606234	37	9531	\$1,350.00	75	30608209	75	9532	\$1,350.00
38	30606233	38	9531	\$1,350.00	76	30608208	76	9532	\$1,350.00

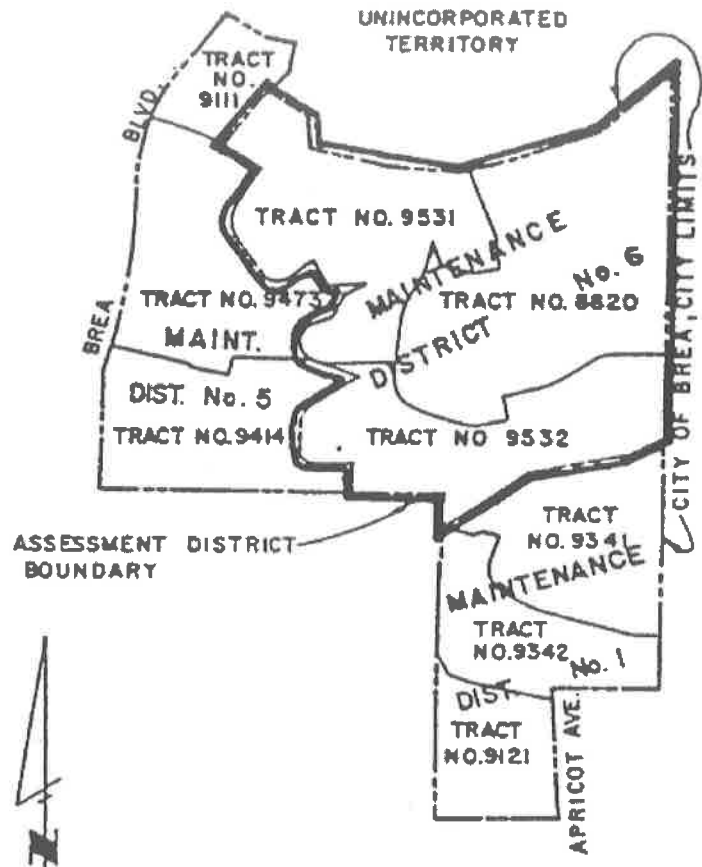
AD #	APN	Lot	Tract	Annual Asmt	AD #	APN	Lot	Tract	Annual Asmt
77	30608227	77	9532	\$1,350.00	107	30607324	107	8820	\$1,350.00
78	30608226	78	9532	\$1,350.00	108	30607204	108	8820	\$1,350.00
79	30608225	79	9532	\$1,350.00	109	30607203	109	8820	\$1,350.00
80	30608224	80	9532	\$1,350.00	110	30607202	110	8820	\$1,350.00
81	30608223	81	9532	\$1,350.00	111	30607201	111	8820	\$1,350.00
82	30608202	82	9532	\$1,350.00	112	30607205	112	8820	\$1,350.00
83	30608201	83	9532	\$1,350.00	113	30607206	113	8820	\$1,350.00
84	30607301	84	8820	\$1,350.00	114	30607207	114	8820	\$1,350.00
85	30607302	85	8820	\$1,350.00	115	30607208	115	8820	\$1,350.00
86	30607332	86	8820	\$1,350.00	116	30607209	116	8820	\$1,350.00
87	30607304	87	8820	\$1,350.00	117	30607210	117	8820	\$1,350.00
88	30607305	88	8820	\$1,350.00	118	30607211	118	8820	\$1,350.00
89	30607306	89	8820	\$1,350.00	119	30607212	119	8820	\$1,350.00
90	30607307	90	8820	\$1,350.00	120	30607213	120	8820	\$1,350.00
91	30607308	91	8820	\$1,350.00	121	30607325	121	8820	\$1,350.00
92	30607309	92	8820	\$1,350.00	122	30607326	122	8820	\$1,350.00
93	30607333	93	8820	\$1,350.00	123	30607327	123	8820	\$1,350.00
94	30607311	94	8820	\$1,350.00	124	30607328	124	8820	\$1,350.00
95	30607312	95	8820	\$1,350.00	125	30607329	125	8820	\$1,350.00
96	30607334	96	8820	\$1,350.00	126	30607330	126	8820	\$1,350.00
97	30607335	97	8820	\$1,350.00	127	30607110	127	8820	\$1,350.00
98	30607336	98	8820	\$1,350.00	128	30607109	128	8820	\$1,350.00
99	30607316	99	8820	\$1,350.00	129	30607108	129	8820	\$1,350.00
100	30607317	100	8820	\$1,350.00	130	30607107	130	8820	\$1,350.00
101	30607318	101	8820	\$1,350.00	131	30607106	131	8820	\$1,350.00
102	30607319	102	8820	\$1,350.00	132	30607105	132	8820	\$1,350.00
103	30607320	103	8820	\$1,350.00	133	30607104	133	8820	\$1,350.00
104	30607321	104	8820	\$1,350.00	134	30607103	134	8820	\$1,350.00
105	30607322	105	8820	\$1,350.00	135	30607102	135	8820	\$1,350.00
106	30607323	106	8820	\$1,350.00					

PART E ASSESSMENT DISTRICTS' BOUNDARIES





A diagram of the boundaries of Landscape and Lighting Maintenance District No. 6 is included herein.

District No. 6 includes all the properties in the City of Brea located within the tract boundary of Tract No. 8820, recorded in Book 454, Pages 19 through 24 inclusive, Tract No. 9531 recorded in Book 423, Pages 24 through 28 inclusive, and Tract No. 9532 recorded in Book 454, Pages 25 through 28, all of Miscellaneous Maps, records of Orange County, California.

Also, the lines and dimensions of each lot or parcel within the Districts are those lines and dimensions shown on the maps of the Assessor of the County of Orange for Fiscal Year 2015-16. The Assessor's maps and records are incorporated by reference herein and made part of this report.



SCALE : 1" = 600'

- LEGEND**
-  ASSESSMENT DISTRICT BOUNDARY
 -  TRACT BOUNDARY
 -  ASSESSMENT DISTRICT NUMBER
 -  TRACT LOT NUMBER

135 PARCELS

SHEET 1 OF 10

ASSESSMENT DIAGRAM
**LIGHTING & MAINTENANCE
 ASSESSMENT DISTRICT NO. 6**

IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA

SCALE 1" = 80'
APPROXIMATE
NO. OF LOTS 81 AND LOTS A THROUGH F

DUPLICATE

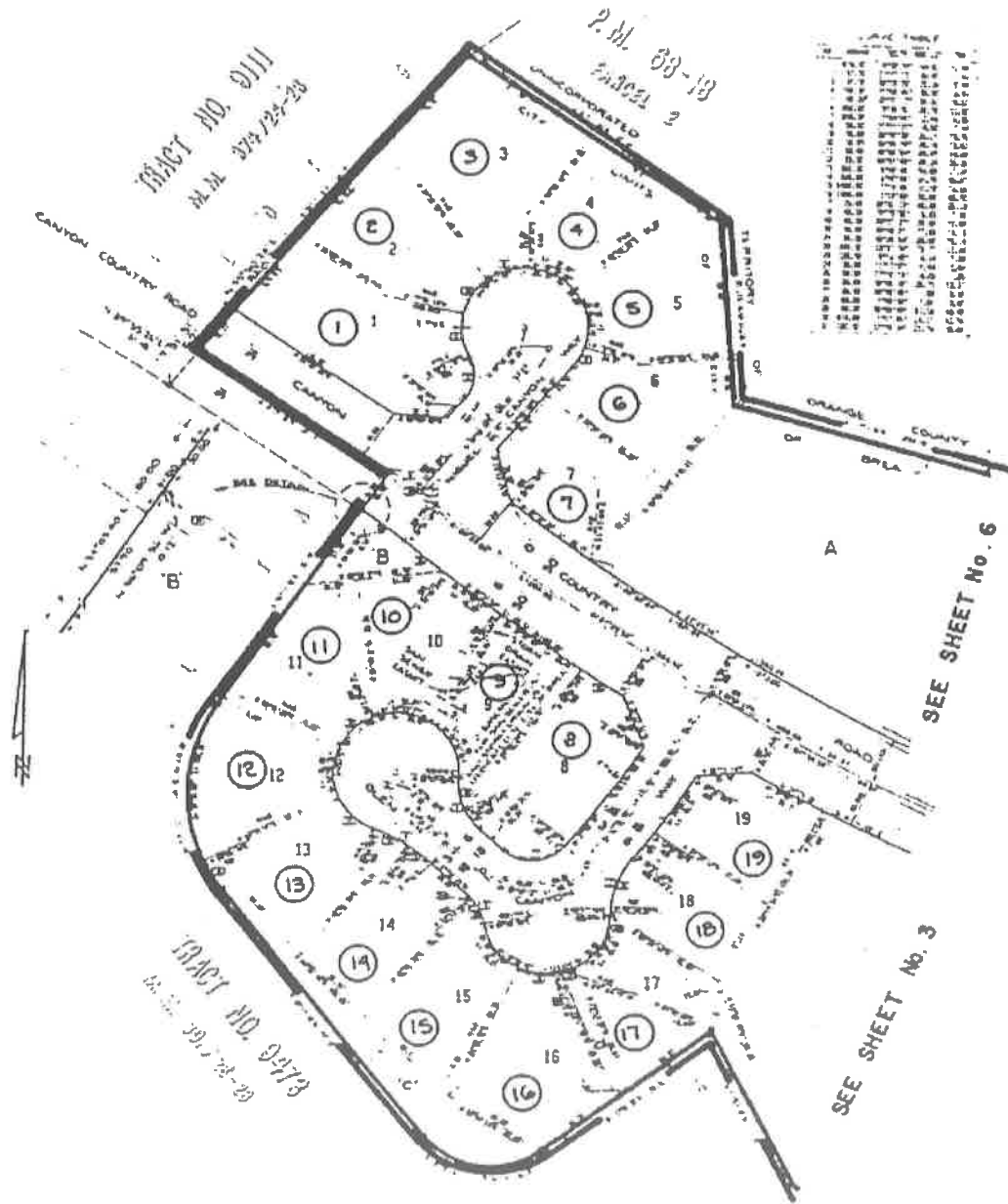
TRACT NO. 9531
IN THE CITY OF BREA,
COUNTY OF ORANGE, STATE OF CALIFORNIA

3A222
CITY OF BREA
PLANNING DEPARTMENT
CITY ENGINEER

STANLEY C. MORSE, L.S. 3640

JUNE 1977

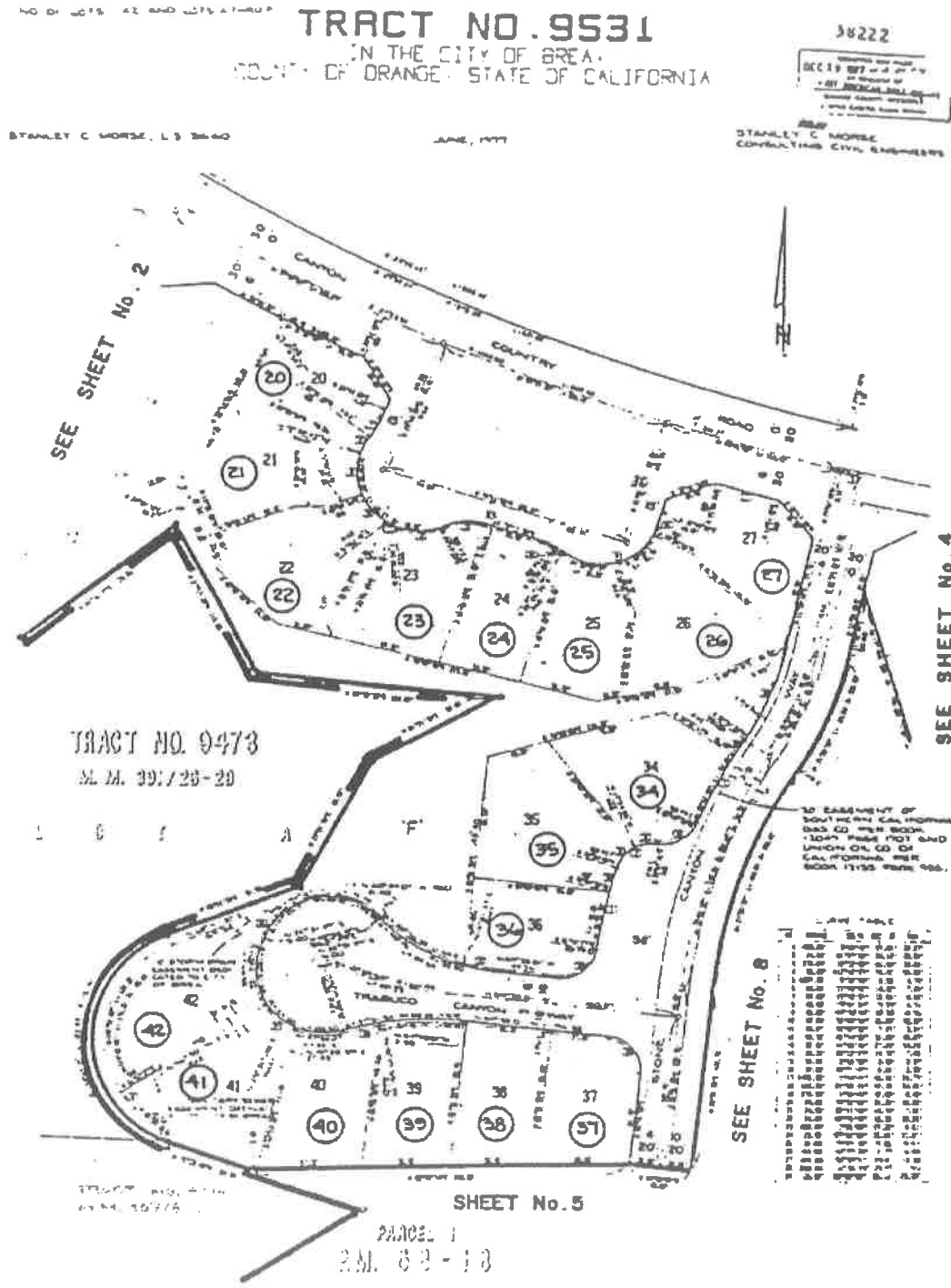
STANLEY C. MORSE
CONSULTING CIVIL ENGINEERS



135 PARCELS

SHEET 2 OF 10

ASSESSMENT DIAGRAM
LIGHTING & MAINTENANCE
ASSESSMENT DISTRICT NO. 6
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA



135 PARCELS SHEET 3 OF 10

ASSESSMENT DIAGRAM
 LIGHTING & MAINTENANCE
 ASSESSMENT DISTRICT NO. 6
 IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA

SCALE: 1" = 80'
ACREAGE: 13.592
NO. OF LOTS: 42 AND LOTS A-F

TRACT NO. 9531

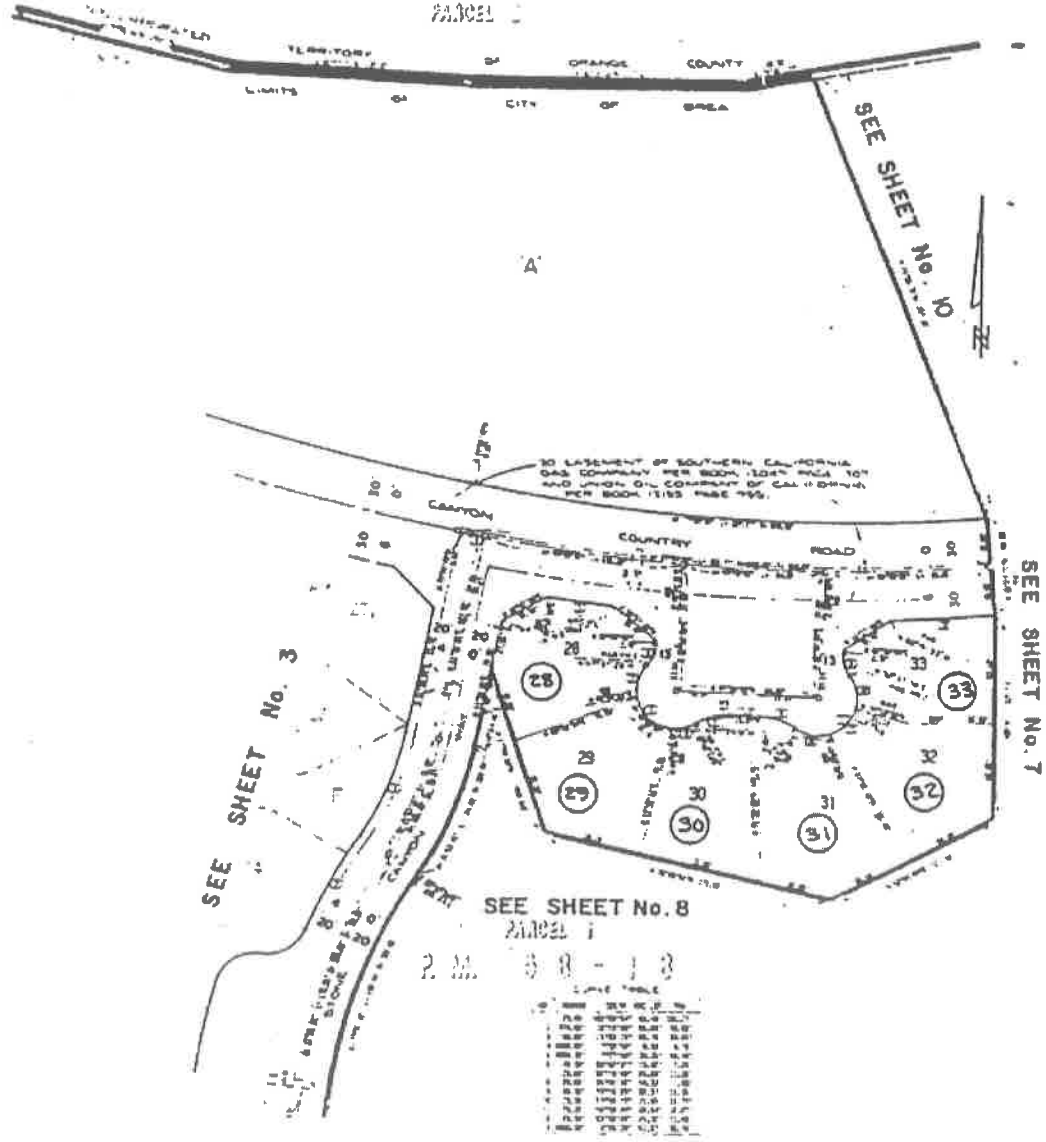
IN THE CITY OF BREA,
COUNTY OF ORANGE, STATE OF CALIFORNIA



STANLEY C. MORSE
CONSULTING CIVIL ENGINEERS INC.

2. M. 0. 0 - 1. 0

PARCEL



135 PARCELS

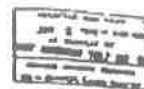
SHEET 4 OF 10

ASSESSMENT DIAGRAM LIGHTING & MAINTENANCE ASSESSMENT DISTRICT NO. 6

ALL UP LOTS 21 AND LOTS 22 & THRU C
TRACT NO. 8820

TRACT NO. 8820

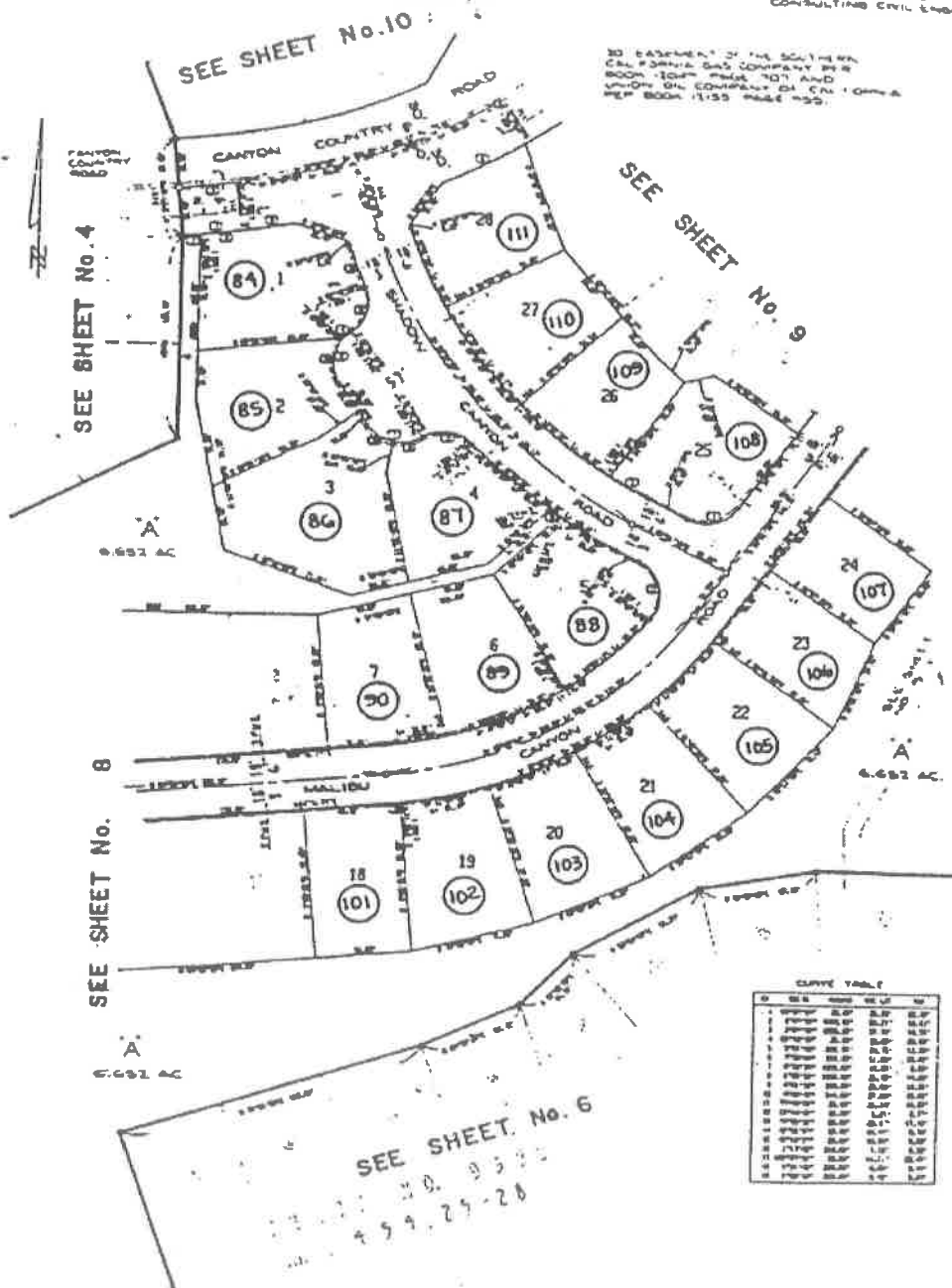
IN THE CITY OF BREA
COUNTY OF ORANGE STATE OF CALIFORNIA.



STANLEY C. MORSE, L.S. 3640

AUGUST, 1977

STANLEY C. MORSE
CONSULTING CIVIL ENGINEERS



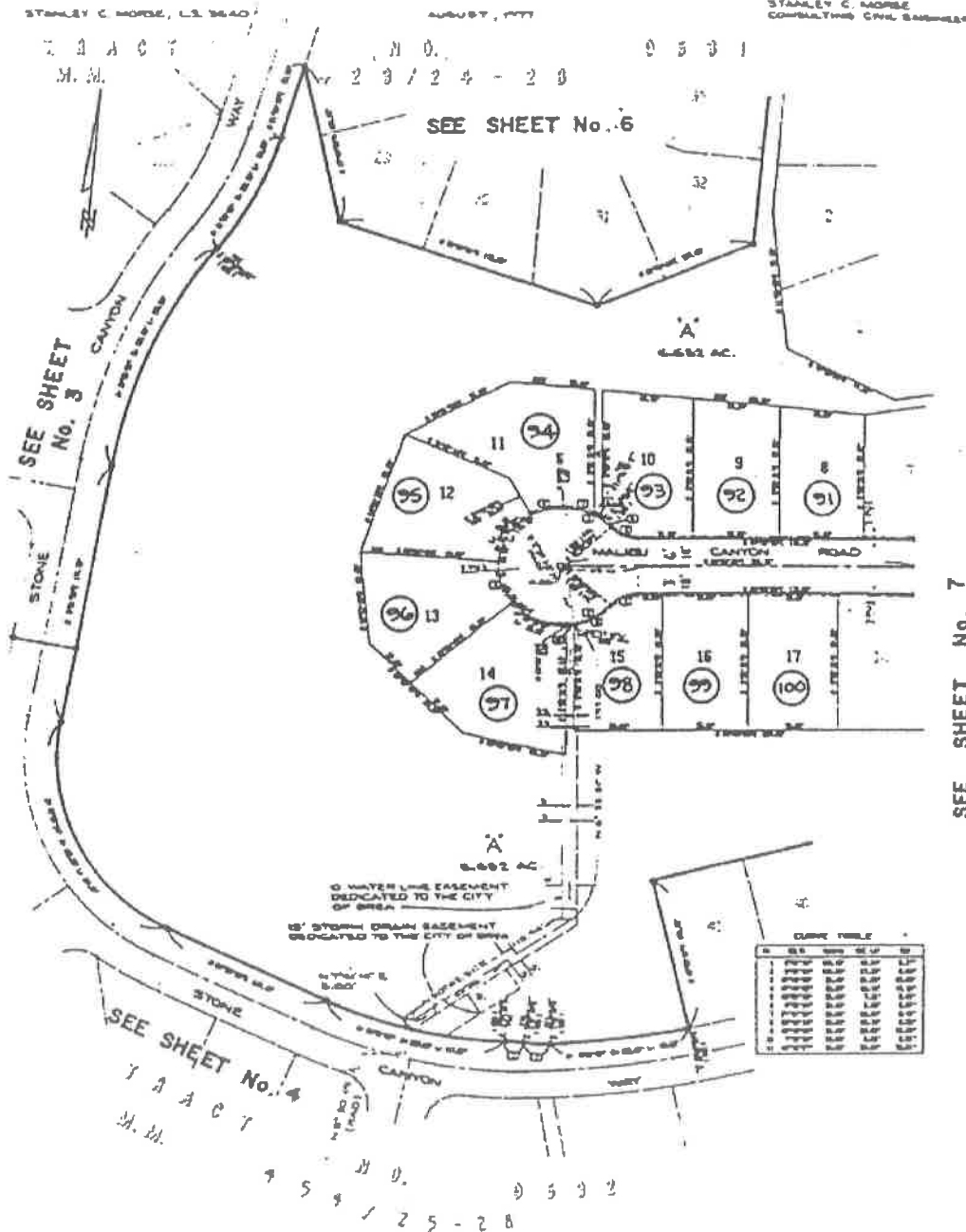
135 PARCELS SHEET 7 OF 10
ASSESSMENT DIAGRAM
LIGHTING & MAINTENANCE
ASSESSMENT DISTRICT NO. 6
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALI FORNIA

SCALE: 1" = 40'
 ACRES: 18.033
 NO. OF LOTS: 92, AND LOTS
 A, B, C & TRAIL C
 FINAL UNIT OF TENTATIVE
 TRACT NO. 8820

UPDATE
TRACT NO. 8820
 IN THE CITY OF BREAA,
 COUNTY OF ORANGE, STATE OF CALIFORNIA.

5375
 STANLEY C. MORSE
 CONSULTING CIVIL ENGINEER, INC.

STANLEY C. MORSE
 CONSULTING CIVIL ENGINEER, INC.



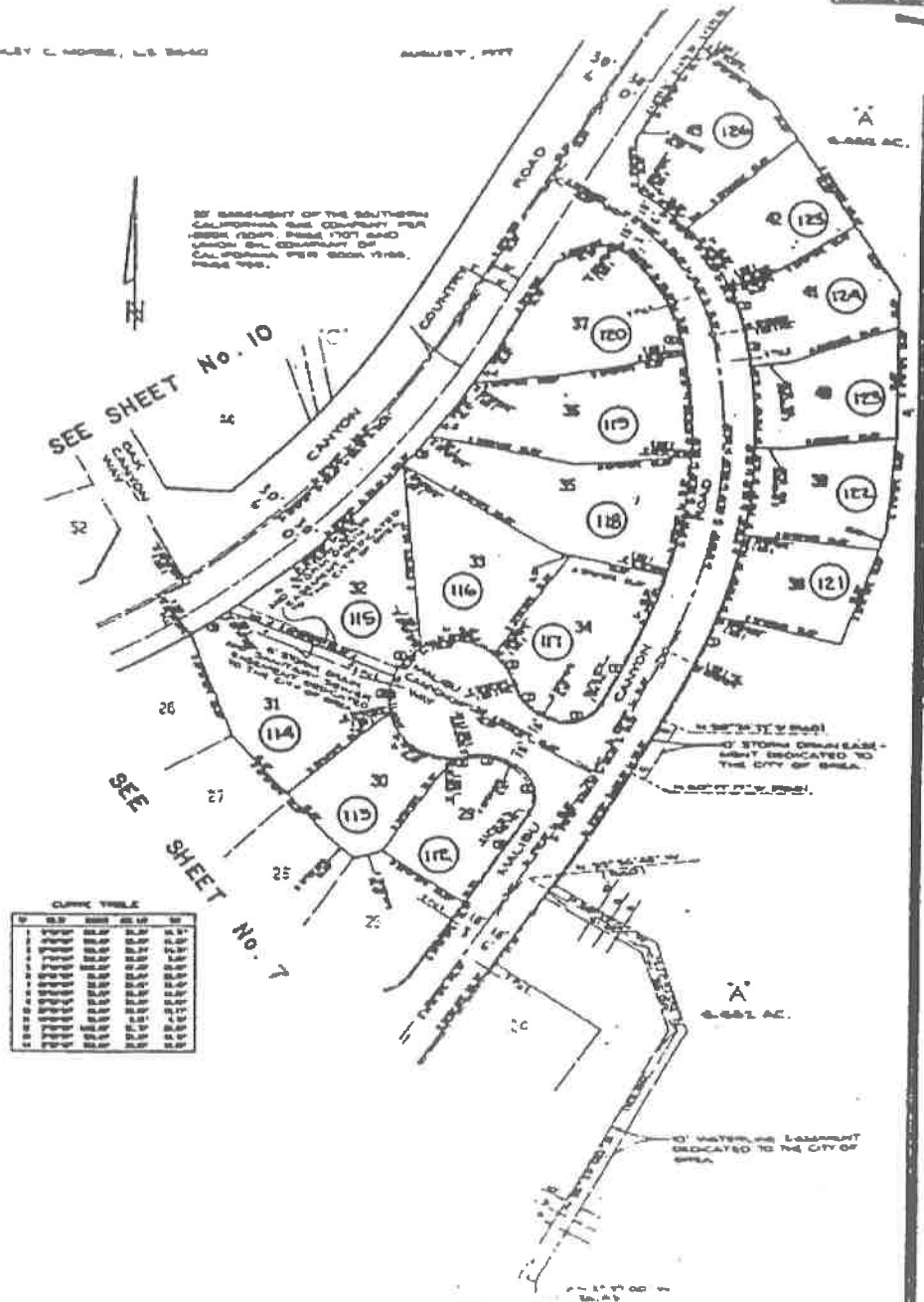
135 PARCELS SHEET 8 OF 10
 ASSESSMENT DIAGRAM
 LIGHTING & MAINTENANCE
 ASSESSMENT DISTRICT NO. 6
 IN THE CITY OF BREAA COUNTY OF ORANGE, STATE OF CALIFORNIA

TRACT NO. 8820
 IN THE CITY OF BREA,
 COUNTY OF ORANGE, STATE OF CALIFORNIA.



STANLEY C. MORSE, L.S. 28440

AUGUST, 1977



ALPINE: 10,000
 NO. OF LOTS: 52 AND LOTS
 A THRU C
 TRACT NO 8820

TRACT NO. 8820
 IN THE CITY OF BREA,
 COUNTY OF ORANGE, STATE OF CALIFORNIA.



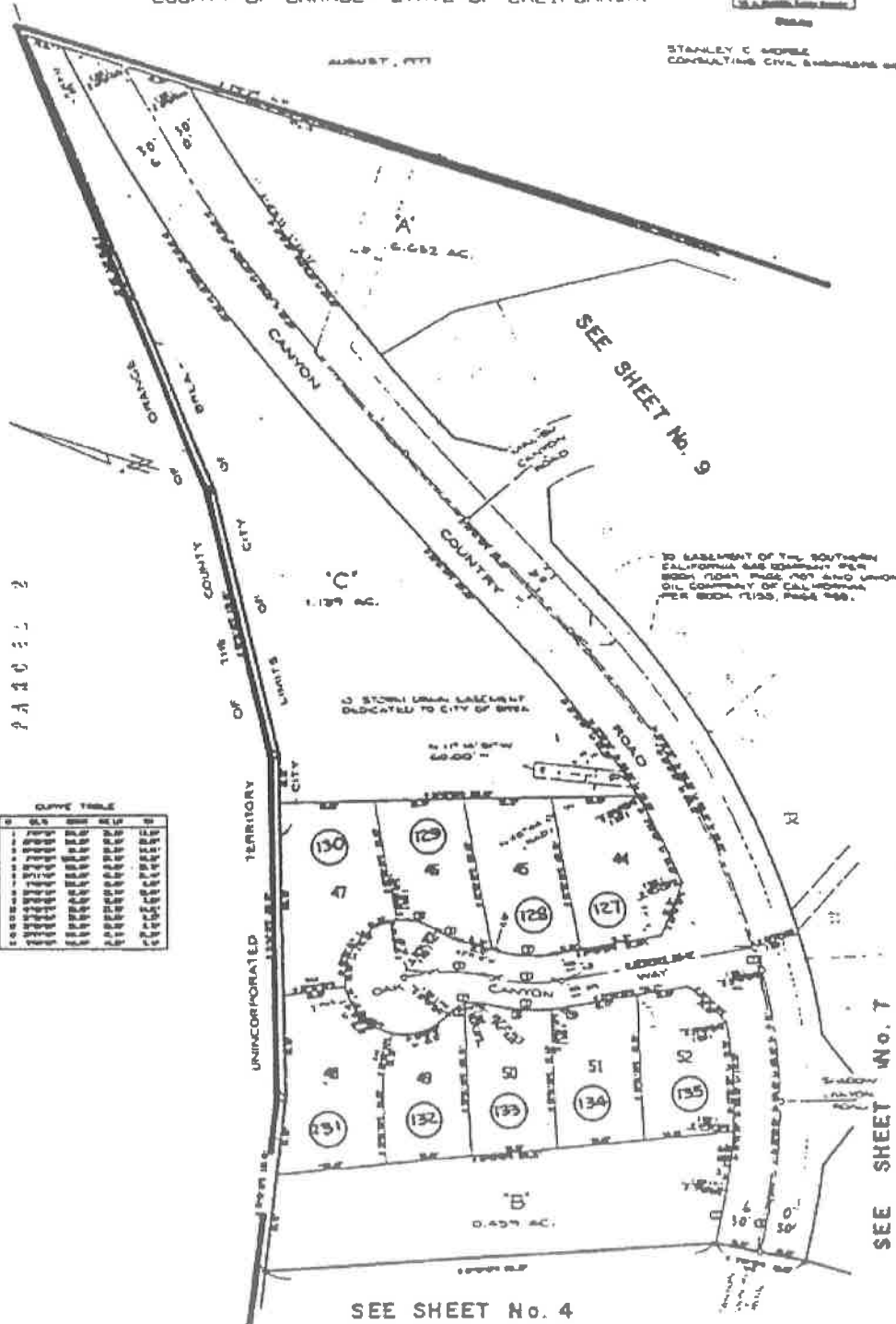
STANLEY C. MOORE
 CONSULTING CIVIL ENGINEER

P.M. 08/10

PARCELS

OFFICE TABLE

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52
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SEE SHEET No. 9

SEE SHEET No. 4

SEE SHEET No. 7

135 PARCELS

SHEET 10 OF 10

ASSESSMENT DIAGRAM
LIGHTING & MAINTENANCE
 ASSESSMENT DISTRICT NO. 6
 IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA

**Landscape and Lighting
Maintenance District
No. 7**

City of Brea

Prepared under the authority of the
Landscape and Lighting Act of 1972
Streets and Highways Code
State of California

Fiscal Year 2015-16

Submitted by:

**Eric Nicoll
Director of Public Works**

April 21, 2015

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City of Brea

April 21, 2015

Honorable Mayor and City Council
City of Brea
1 Civic Center Circle
Brea, CA 92821-5732

Re: Engineer's Report, Landscape & Lighting Maintenance District No. 7

Transmitted herewith for your review and consideration is a report entitled, "Landscape and Lighting Maintenance District No. 7, City of Brea."

This report has been prepared in accordance with the Landscape and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code. The report includes all the requirements of the Landscape and Lighting Act of 1972 and the Streets and Highways Code, with particular reference to annual assessments after formation thereof of the District.

The report is submitted herewith for consideration at your next meeting to set a hearing date for the purpose of levying an annual assessment (Streets and Highways Code, Section 22620 to Section 22631).

Respectfully submitted,

Eric Nicoll, Director
Public Works Department

p:\maintenance\maint districts\assessment 15-16\lmd7 1516.doc

City Council

Marty Simonoff
Mayor

Christine Marick
Mayor Pro Tem

Cecilia Hupp
Council Member

Glenn Parker
Council Member

Steven Vargas
Council Member

Civic & Cultural Center • 1 Civic Center Circle • Brea, California 92821-5732 • 714/990-7600 • FAX 714/990-2258 • www.cityofbrea.net

Introduction and Background

Introduction:

This report has been prepared and is submitted for consideration by the City Council of the City of Brea under the authority of the Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code.

Background:

On August 1, 1995 the City Council of the City of Brea adopted and approved Resolution No. 95-85 creating Landscape and Lighting Maintenance District No. 7 in the City of Brea.

The creating of Landscape and Lighting Maintenance District No. 7 in the City of Brea was a requirement of the City of Brea for the development of Tract Nos. 14658, 14657, 15670 and 14656.

The formation of the district and the levy of the first annual assessment was completed in accordance with the requirements of the Landscaping and Lighting Act of 1972 on August 1, 1995.

In FY 2007-08, the property owners submitted ballots and approved an increase in assessment rate. Included in that balloting was an annual CPI escalator that will allow the assessment rate to keep up with the cost of living. The annual escalator sets the maximum rate that the properties might be assessed.

The purpose of this report is to be utilized by the City Staff, the City Council, and the County Assessor in the levy and collection of an annual assessment after formation of an assessment district under the requirements of the Landscaping and Lighting Act of 1972 (State of California and Highways Code, Section 22620 to 22631).

PART A PLANS AND SPECIFICATIONS

The facilities, which consist of slopes and greenbelt areas and theme lighting, will be operated, serviced and maintained as generally described as follows:

Landscaping and Appurtenant Facilities

Facilities include but are not limited to: landscaping, planting, shrubbery, trees, irrigation systems, hardscapes, fixtures, sidewalk maintenance resulting from landscape growth and appurtenant facilities, in public street and sidewalk rights-of-way, including medians, parkways and dedicated easements within the boundaries of the Assessment District.

Lighting, Traffic Signals and Appurtenant Facilities

Facilities include but are not limited to: Poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting and traffic signals in public street and sidewalk rights-of-way and dedicated easements within the boundaries of the Assessment District.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping, public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

Servicing means the furnishing of water for the irrigation of the landscaping and the maintenance of any of the public lighting facilities or appurtenant facilities and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or operation of the landscaping or appurtenant facilities.

The plans and specifications for the improvements, showing and describing the general nature, location, and the extent of the improvements, are on file in the office of the Director of Public Works and are incorporated herein by reference.

**PART B
 ESTIMATE OF COST**

The estimated cost of the operation, servicing and maintenance of the street and sidewalk improvements for Fiscal Year 2015-16, as described in Part A, are summarized herein and described below.

MAINTENANCE DISTRICT # 7 - ANNUAL COST FACTORS

Acct #	Description	FY 15-16 Est.
1. Fixed Costs		Expenses
4111	Salaries & Benefits	\$4,622
4113	Overtime	\$100
4243	Engineering	\$0
4244	Legal	\$0
4412	Property Tax Collection	\$103
	Fixed Costs Totals	\$4,825
2. ROUTINE COSTS		
4211	Postage	\$45
4249	Svc & Repair Equipment	\$4,000
4266	Contract Grounds Maintenance	\$10,045
4285	Water	\$8,500
4339	Construction & Maintenance	\$0
5800	Insurance and Other Expenses	\$529
	Routine Costs Totals	\$23,119
	Total Costs (Fixed & Routine)	\$27,944
	Est. Fund Balance as of 1-Jul-2015	\$6,747
	Projected Reserve Balance 30-Jun-2016	\$3,096
	FY 2015-16 Annual Assessments	\$24,293

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the Districts. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the Districts by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.

PART C METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by cities for the purpose of providing certain public improvements which include construction, operation, maintenance and servicing of street lights, traffic signals and landscaping.

Section 22573 of the Landscaping and Lighting Act of 1972 (the 1972 Act) requires that maintenance assessments be levied according to benefit rather than according to assessed value. This section states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

The 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements." (Sec. 22574). Thus, the 1972 Act requires the levy of a true "assessment" based on the actual benefit rather than a "special tax."

ASSESSMENT METHODOLOGY

The parcels of land in the District are single family residential (SFR) lots, with each of these lots benefiting equally from the improvements being maintained. Therefore, the costs associated with the landscaping and lighting within and directly adjacent to the tract will be apportioned on a residential lot basis as follows:

$$\text{\$24,293} / 96 \text{ SFR's} = \text{\$253.05} / \text{SFR}$$

This assessment rate is the maximum rate. The maximum assessment rate will be increased each year by the annual change in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles, Riverside and Orange County areas. The actual assessments levied in any fiscal year will be as approved by the City Council and may not exceed the maximum assessment rate without receiving property owner approval for the increase. The calculation for the maximum assessment rate is provided in the table below. The increase in CPI for FY 2015-16 is .7%.

Maximum Assessment Rate Calculation				
Maximum Asmt for FY 2007-08	CPI Increase	Maximum Asmt for FY 2008-09	CPI Increase	Maximum Asmt for FY 2009-10
\$245 / SFR	3.3%	\$253.05 / SFR	3.5%	\$261.91/SFR
CPI Increase	Maximum Asmt for FY 2010-11	CPI Increase	Maximum Asmt for FY 2011-12	CPI Increase
0%	\$261.91 /SFR	1.2%	\$265.05 /SFR	2.7%
Max Asmt for FY 12-13	CPI Increase	Max Asmt for FY 13-14	CPI Increase	Max Asmt for FY 14-15
\$272.21 /SFR	2%	\$277.65 /SFR	1.1%	\$280.70 /SFR
CPI Increase	Maximum Asmt for FY 2015-16			
.7%	\$282.66 /SFR			

PART D ASSESSMENT ROLL

The amount of the total proposed assessment for Fiscal Year 2015-16 apportioned to each lot or parcel within the District, as shown on the latest assessment roll at the Orange County Assessor's Office, is contained in the Assessment Roll provided below.

The description of each lot or parcel is part of the Orange County assessment roll and this roll is, by reference, made part of this Report.

AD#	APN	Lot	Tract	Asmt	AD#	APN	Lot	Tract	Asmt
1	29646113	1	14658	\$253.05	39	29643133	18	14657	\$253.05
2	29643114	2	14658	\$253.05	40	29633150	1	15070	\$253.05
3	29643115	3	14658	\$253.05	41	29633149	2	15070	\$253.05
4	29643116	4	14658	\$253.05	42	29633148	3	15070	\$253.05
5	29643117	5	14658	\$253.05	43	29633147	4	15070	\$253.05
6	29643118	6	14658	\$253.05	44	29633146	5	15070	\$253.05
7	29643119	7	14658	\$253.05	45	29633145	6	15070	\$253.05
8	29643120	8	14658	\$253.05	46	29633144	7	15070	\$253.05
9	29643121	9	14658	\$253.05	47	29643143	8	15070	\$253.05
10	29643101	10	14658	\$253.05	48	29633141	9	15070	\$253.05
11	29643102	11	14658	\$253.05	49	29633140	10	15070	\$253.05
12	29643103	12	14658	\$253.05	50	29633139	11	15070	\$253.05
13	29643104	13	14658	\$253.05	51	29633138	12	15070	\$253.05
14	29643105	14	14658	\$253.05	52	29633137	13	15070	\$253.05
15	29643106	15	14658	\$253.05	53	29633134	14	15070	\$253.05
16	29643107	16	14658	\$253.05	54	29633133	15	14657	\$253.05
17	29643108	17	14658	\$253.05	55	29633132	16	14657	\$253.05
18	29643109	18	14658	\$253.05	56	29633131	17	14657	\$253.05
19	29643110	19	14658	\$253.05	57	29633130	18	14657	\$253.05
20	29643111	20	14658	\$253.05	58	29633129	19	14657	\$253.05
21	29643112	21	14658	\$253.05	59	29633128	20	14657	\$253.05
22	29643134	1	14657	\$253.05	60	29633126	21	14657	\$253.05
23	29643135	2	14657	\$253.05	61	29633125	22	14657	\$253.05
24	29643136	3	14657	\$253.05	62	29633124	23	14657	\$253.05
25	29643137	4	14657	\$253.05	63	29633123	24	14657	\$253.05
26	29643138	5	14657	\$253.05	64	29633122	25	14657	\$253.05
27	29643139	6	14657	\$253.05	65	29633121	26	14657	\$253.05
28	29643140	7	14657	\$253.05	66	29633120	27	14657	\$253.05
29	29643141	8	14657	\$253.05	67	29644104	1	14656	\$253.05
30	29643142	9	14657	\$253.05	68	29644105	2	14656	\$253.05
31	29643143	10	14657	\$253.05	69	29644106	3	14656	\$253.05
32	29643126	11	14657	\$253.05	70	29644107	44	14656	\$253.05
33	29643127	12	14657	\$253.05	71	29644108	5	14656	\$253.05
34	29643128	13	14657	\$253.05	72	29644109	6	14656	\$253.05
35	29643129	14	14657	\$253.05	73	29644110	7	14656	\$253.05
36	29643130	15	14657	\$253.05	74	29644111	8	14656	\$253.05
37	29643131	16	14657	\$253.05	75	29644112	9	14656	\$253.05
38	29643132	17	14657	\$253.05	76	29644113	10	14656	\$253.05

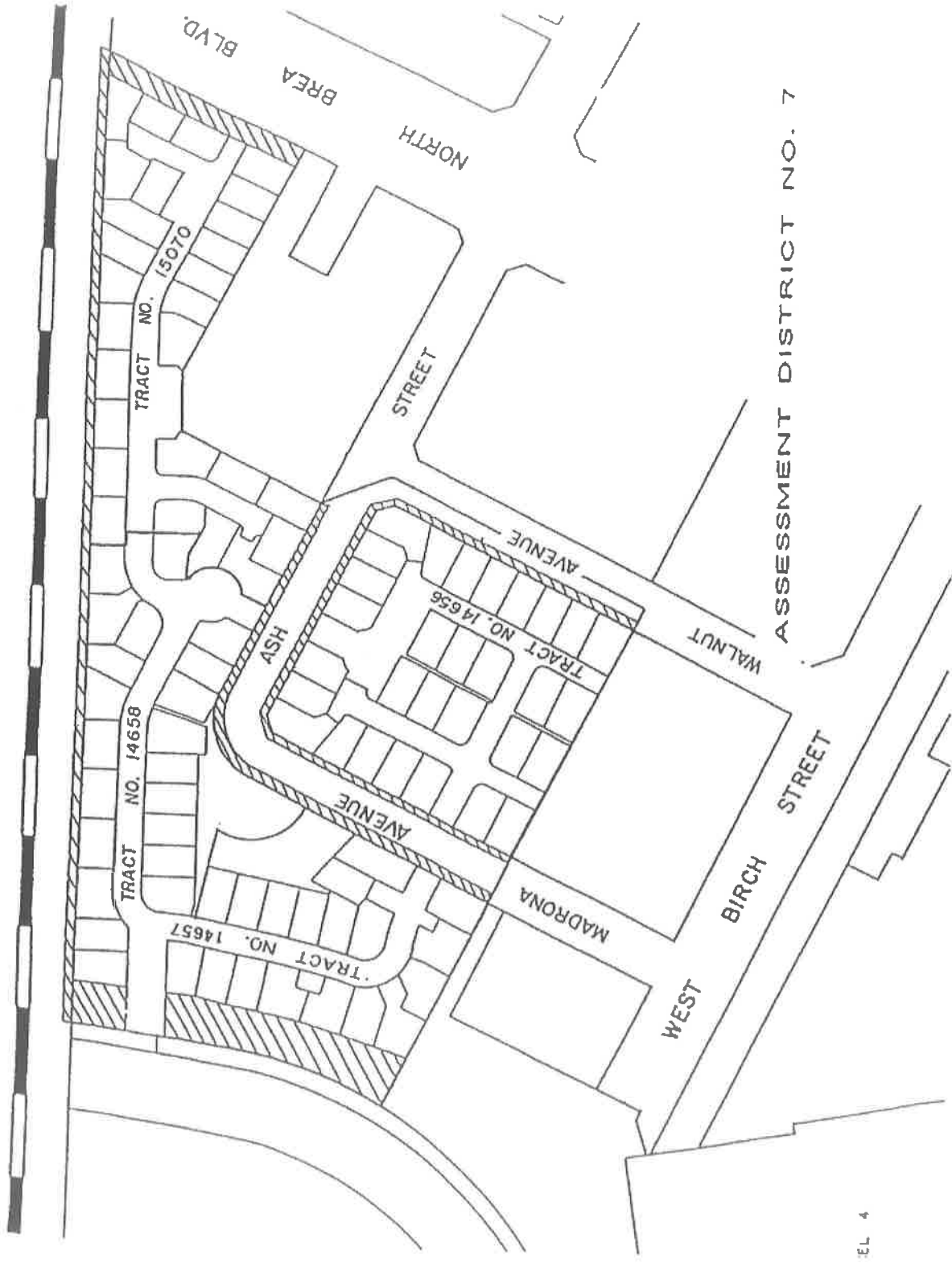
AD#	APN	Lot	Tract	Asmt
77	29644114	11	14656	\$253.05
78	29644115	12	14656	\$253.05
79	29644116	13	14656	\$253.05
80	29644117	14	14656	\$253.05
81	29644118	15	14656	\$253.05
82	29644119	16	14656	\$253.05
83	29644120	17	14656	\$253.05
84	29644121	18	14656	\$253.05
85	29644122	19	14656	\$253.05
86	29644123	20	14656	\$253.05
87	29644124	21	14656	\$253.05
88	29644125	22	14656	\$253.05
89	29644126	23	14656	\$253.05
90	29644127	24	14656	\$253.05
91	29644128	25	14656	\$253.05
92	29644129	26	14656	\$253.05
93	29644130	27	14656	\$253.05
94	29644101	28	14656	\$253.05
95	29644102	29	14656	\$253.05
96	29644103	30	14656	\$253.05

PART E ASSESSMENT DISTRICTS' BOUNDARIES

A diagram of the boundaries of Landscape and Lighting Maintenance District No. 7 is included herein.

District No. 7 includes all properties in the City of Brea located within the tract boundary of Tract No. 14658 recorded in Book 724, Pages 9 through 11, of Tract No. 14657 recorded in Book 733, Pages 15, 16, and 17, and of Tract Nos. 15070 and 14656 of Miscellaneous Maps, records of Orange County, California.

Also, the lines and dimensions of each lot or parcel within the Districts are those lines and dimensions shown on the maps of the Assessor of the County of Orange for Fiscal Year 2015-16. The Assessor's maps and records are incorporated by reference herein and made part of this report.



City of Brea

Agenda Item:

COUNCIL COMMUNICATION

Date: April 21, 2015

To: Honorable Mayor and City Council

From: City Manager

Subject: CONTRACT FOR GRAFFITI REMOVAL SERVICE WITH URBAN GRAFFITI ENTERPRISES, INC. FOR CITY-WIDE GRAFFITI REMOVAL SERVICES

RECOMMENDATION

Approve Professional Services Agreement (PSA) with Urban Graffiti Enterprises, Inc. for the removal of graffiti from all City-owned, private residential, commercial, and industrial structures throughout the City.

BACKGROUND

Historically, the City of Brea has used the combined efforts of contract services and City staff to remove graffiti throughout the City. Contract services is used on an on-call basis to remove graffiti from hot-spot locations such as properties that back up to the old railroad tracks, large tags, and areas that require paint matching abilities or sand blasting.

In February 2015, a Request for Proposals for the above services was sent to three graffiti removal companies to formalize through a PSA the ability to have consistent graffiti removal services at a lower price than simply requesting services and paying when billed. By going through the process of requesting proposals, the City is able to select a contractor based on technical qualifications, expertise, ability to perform the

Contract FOR GRAFFITI REMOVAL SERVICE WITH URBAN GRAFFITI ENTERPRISES, INC. FOR CITY-WIDE GRAFFITI REMOVAL SERVICES

work in a safe and timely manner, and the ability to respond to as-needed emergency work. The City does not currently have an agreement for graffiti removal services.

In March 2015, staff received fee proposals from two graffiti removal companies. A panel consisting of the Parks Supervisor, Street Supervisor, Management Analyst and Street Division Superintendent evaluated the two company's proposals. After a thorough review of the proposals including price information and references the proposals were ranked as follows:

1. Urban Graffiti Enterprises, Inc. – 100 sqft. Best match paint cost at \$52 per location. Currently provides excellent on call services for the City for the past 10+ years.
2. Graffiti Protective Coatings, Inc. – 100 sqft. Best match paint cost at \$75 per location, plus an additional \$150 per call-out. Currently provides graffiti removal services for the City of Fullerton.

In addition, Urban Graffiti Enterprises, Inc. has provided an alternative pricing option of a \$2,000 per month fixed rate to provide a weekly service of graffiti removal. Their crew will patrol and service the City, completing any pending requests, including emergency same day service for graphic or pornographic graffiti removal.

Over the past four years the City has spent an average of \$3,255 per month for graffiti

Contract FOR GRAFFITI REMOVAL SERVICE WITH URBAN GRAFFITI ENTERPRISES, INC. FOR CITY-WIDE GRAFFITI REMOVAL SERVICES

removal service and using Urban Graffiti Enterprises, Inc. proposed pricing structure would save the City approximately \$15,060 annually in graffiti removal services while maintaining the high level of service the City expects. The PSA includes the bid price of \$52.00 per 100 square feet of graffiti removal, and the alternative option to use the monthly fee. Staff will begin with the monthly fee and monitor the savings.

Staff is recommending that a Professional Services Agreement be awarded to Urban Graffiti Enterprises, Inc. based on pricing and level of customer service they have provided to the City of Brea. The terms of the PSA include a maximum cost of \$25,000 for the first year, with up to four (4) one-year extensions with CPI adjustment capped at 2% annually.

COMMITTEE RECOMMENDATION

The Finance Committee reviewed staff's recommendation at their April 14, 2015 meeting and ...

OPTIONS CONSIDERED

Staff has considered doing all graffiti removal service with in-house staff. However, this would require hiring additional staff, purchasing specialized paint matching equipment and paint sprayers. Currently, using contract services for this service is the best option. Annual in-house cost estimate for graffiti removal service at \$30,758:

- Staff – 1 Maintenance Service Worker II at 520 hours =\$20,758

Contract FOR GRAFFITI REMOVAL SERVICE WITH URBAN GRAFFITI ENTERPRISES, INC. FOR CITY-WIDE GRAFFITI REMOVAL SERVICES

- Equipment – Graffiti removal truck (new equip purchase \$60,000)= \$6,500
- Material – Paint and other related supplies = \$3,500

Staff is recommending outsourcing this work based on cost savings.

FISCAL IMPACT

The annual cost for this graffiti removal service will be \$25,000. For fiscal year 2014-15, the Street Division operational budget has \$54,000 in account 110-51-5121-4249 for graffiti removal service.

SUMMARY

Staff solicited proposals for graffiti removal services. Two bidders responded. Following review of proposals and price comparisons, staff recommends awarding the contract to Urban Graffiti Enterprises, Inc. This is to be a one-year contract with provisions for renewal for up to four additional one-year periods. The maximum amount is \$25,000 per year with CPI adjustment with a 2% cap for years two through five. This recommendation is based on the ability demonstrated by Urban Graffiti Enterprises, Inc., to meet all of Public Works requirements including pricing, responsiveness, level of customer service, as well as overall stability of the company.

Respectfully submitted: Tim O'Donnell, City Manager

Contract FOR GRAFFITI REMOVAL SERVICE WITH URBAN GRAFFITI
ENTERPRISES, INC. FOR CITY-WIDE GRAFFITI REMOVAL SERVICES

Prepared by: Will Wenz, Public Works Superintendent

Concurrence: Eric Nicoll, Public Works Director

Attachments: Professional Services Agreement
Exhibit A - Scope of Services

PROFESSIONAL SERVICES AGREEMENT

The following agreement is made and entered into, in duplicate, as of the date executed by the CITY Clerk and the Mayor, by and between **URBAN GRAFFITI ENTERPRISES, INC.** hereinafter referred to as the "CONTRACTOR" and the CITY of Brea, California, hereinafter referred to as "CITY".

WHEREAS, pursuant to Notice inviting Proposals, proposals were received, Reviewed by Committee, and declared on the date specified in said notice; and

WHEREAS, CITY did accept the bid of CONTRACTOR **URBAN GRAFFITI ENTERPRISES, INC.** and;

WHEREAS, CITY has authorized the CITY Clerk and Mayor to enter into a written contract with CONTRACTOR for furnishing labor, equipment, and material for the removal of graffiti at various locations throughout the CITY of Brea.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, it is agreed:

1. **GENERAL SCOPE OF WORK:** CONTRACTOR shall furnish all necessary labor, tools, materials, appliances, and equipment for and do the work for the Removal of Graffiti at Various Locations in the CITY Of Brea. Said work to be performed in accordance with "Scope of Services" attached as Exhibit A and specifications and standards on file in the office of the Director of Public Works and in accordance with bid prices hereinafter mentioned and in accordance with the instruction of the Director of Public Works for a period commencing: **May 1, 2015 through May 1, 2016.**

The prices quoted with the bid shall be in effect for one year, at which time the agreement will be subject to review. The CITY and CONTRACTOR shall have the option of extending the term of the agreement, by mutual consent of the parties, four (4) times for periods of one year each. Should the agreement be extended, the contract prices shall be adjusted as set forth in paragraph 15 and 16 hereof.

2. **INCORPORATED DOCUMENTS TO BE CONSIDERED**

The aforesaid specifications are incorporated herein by reference hereto and made a part hereof with like force and effect as if all of said documents were set forth in full herein. Said documents, the Resolution Inviting Bids attached hereto, together with this written agreement, shall constitute the contract between the parties. This contract is intended to require complete and finished piece of work and anything necessary to complete the work properly and in accordance with the law and lawful governmental regulations shall be performed by the CONTRACTOR whether set out specifically in the contract or not. Should it be ascertained that any inconsistency exists between the aforesaid documents and this written agreement, the provisions of this written agreement shall control.

3. TERMS OF CONTRACT:

A. The undersigned bidder agrees to execute the contract within ten (10) working days from the date of notice of award of the contract or upon notice by CITY after ten (10) working days.

B. The CONTRACTOR, while fulfilling the terms of this Contract, is performing as a representative of CITY and shall provide exceptional Customer Care. Any negative contact with staff, residents/citizens, businesses, visitors or other CONTRACTORS shall be reported by CONTRACTOR immediately to CITY. CONTRACTOR'S management and supervisory personnel shall intercede to resolve or mitigate the negative contact in conjunction with CITY staff. CITY and CONTRACTOR may agree in advance to a single person contact, a representative of the CITY or CONTRACTOR, for the investigation and response to complaints.

4. INSURANCE: The CONTRACTOR shall not commence work under this contract until he has obtained all insurance required hereunder in a company or companies acceptable to CITY nor shall the CONTRACTOR allow any subcontractor to commence work on his subcontract until all insurance required of the subcontractor has been obtained. Any tort claims filed against the CITY related to the performance of this Contract and subsequently tendered to the CONTRACTOR shall be promptly investigated, and the resolution of such claims shall be promptly reported to the CITY.

The CONTRACTOR shall take out and maintain at all times during the life of this contract the following policies of insurance:

a. Compensation Insurance: Before beginning work, the CONTRACTOR shall furnish to the Director of Public Works a certificate of insurance as proof that he has taken out full compensation insurance for all persons whom he may employ directly or through subcontractors in carrying out the work specified herein, in accordance with the laws of the State of California. Such insurance shall be maintained in full force and effect during the period covered by this contract.

Further, such policy of insurance shall provide that the insurer waives all rights of subrogation against CITY and its elected officials, officers, employees and agents.

In accordance with the provisions of Section 3700 of the California Labor Code, every CONTRACTOR shall secure the payment of compensation to his employees. CONTRACTOR, prior to commencing work, shall sign and file with the CITY a certification as follows:

"I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for worker's compensation or to undertake self insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of work of this contract."

b. For all operations of the CONTRACTOR or any subcontractor in performing the work provided for herein, insurance with the following minimum limits and coverage:

(1) Commercial General Liability (occurrence) – for bodily injury, death and property damage for products/completed operations and any and all other activities undertaken by the CONTRACTOR in the performance of this Agreement – or – :

(2) (Alternative to Commercial General Liability) – Comprehensive, broad form General Public Liability (occurrence) – for bodily injury, death and property damage arising out of any activities undertaken by CONTRACTOR in the performance of this Agreement.

(3) Comprehensive Automobile Liability (Occurrence) – For bodily injury, death and property damage insuring against all liability arising out of the use of any vehicle.

(4) Owner's and CONTRACTOR'S Protective (occurrence) – for bodily injury, death and property damage arising out of any activities undertaken by CONTRACTOR in the performance of this Agreement.

(5) Other required insurance, endorsements or exclusions as required by the plans and specifications.

(6) The policies of insurance required in this Section b shall have no less than the following limits of coverage:

(i) \$2,000,000 (Two Million Dollars) for bodily injury or death;

(ii) \$1,000,000 (One Million Dollars) for property damage;

(iii) The total of the limits specified in subsections (i) and (ii), above, where a combined single limit is provided.

c. Each such policy of insurance required in paragraph b shall:

(1) Be subject to no deductible amount unless otherwise provided, or approved in writing by CITY;

(2) Be issued by an insurance company approved in writing by CITY, which is admitted and licensed to do business in the State of California and which is rated A VII or better according to the most recent A.M. Best Co. Rating Guide;

(3) Name as additional insured the CITY, its elected officials, officers, employees, attorneys and agents, and any other parties, including subcontractors, specified by CITY to be included;

(4) Specify that it acts as primary insurance and that no insurance held or owned by the designated additional insured shall be called upon to cover a loss under said policy;

(5) Specify that it applies separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability;

(6) Contain a clause substantially in the following words:

"It is hereby understood and agreed that this policy may not be canceled nor the amount of coverage thereof reduced until thirty (30) days after receipt by CITY of written notice of such cancellation or reduction of coverage as evidenced by receipt of a registered letter."

(7) Specify that any failure to comply with reporting or other provisions of the required policy, including breaches of warranty, shall not affect the coverage required to be provided;

(8) Specify that the insurer waives all rights of subrogation against any of the named additional insured; and

(9) Specify that any and all costs of adjusting and/or defending any claim against any insured, including court costs and attorneys' fees, shall be paid in addition to and shall not deplete any policy limits.

(10) Otherwise be in form satisfactory to CITY.

d. Prior to commencing performance under this Agreement, the CONTRACTOR shall furnish the CITY with original endorsements, or copies of each required policy, effecting and evidencing the insurance coverage required by this Agreement. The endorsements shall be signed by a person authorized by the insurer(s) to bind coverage on its behalf. All endorsements or policies shall be received and approved by the CITY before CONTRACTOR commences performance. If performance of this Agreement shall extend beyond one (1) year, CONTRACTOR shall provide CITY with the required policies or endorsements evidencing renewal of the required policies of insurance prior to the expiration of any required policies of insurance.

5. PREVAILING WAGE: Notice is hereby given that in accordance with the provisions of California Labor Code, Division 2, Part 7, Chapter 1, Articles 1 and 2, the CONTRACTOR is required to pay not less than the general prevailing rate of per diem wages for work of a similar character in locality in which the public work is performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work. In that regard, the Director of the Department of Industrial Relations of the State of California is required to and has determined such general prevailing rates of per diem wages.

Pursuant to Labor Code § 1775, the CONTRACTOR shall forfeit, as penalty to CITY, not more than fifty dollars (\$50.00) for each laborer, workman, or mechanic employed for each calendar day or portion thereof, if such laborer, workman, or mechanic is paid less than the general prevailing rate of wages hereinbefore stipulated for any work done under the attached contract, by him or by any subcontractor under him, in violation of the provisions of said Labor Code.

6. APPRENTICESHIP EMPLOYMENT: In accordance with the provisions of Section 1777.5 of the Labor Code as amended by Chapter 971, Statutes of 1939, and in accordance with the regulations of the California Apprenticeship council, properly indentured apprentices may be employed in the prosecution of the work.

Attention is directed to the provisions in Sections 1777.5 and 1777.6 of the Labor Code concerning the employment of apprentices by the CONTRACTOR or any subcontractor under him.

Section 1777.5, as amended, requires the CONTRACTOR or subcontractor employing tradesmen in any apprenticeable occupation to apply to the joint apprenticeship committee nearest the site of the public works project and which administers the apprenticeship program in that trade for a certificate of approval. The certificate will also fix the ratio of apprentices' journeymen that will be used in the performance of the contract. The ratio of apprentices to journeymen in such cases shall not be less than one to five except:

- a. When unemployment in the area of coverage by the joint apprenticeship committee has exceeded an average of 15 percent in the 90 days prior to the request for certificate, or
- b. When the number of apprentices in training in the area exceeds a ratio of one to five, or
- c. When the trade can show that it is replacing at least 1/30 of its membership through apprenticeship training on an annual basis statewide or locally, or
- d. When the CONTRACTOR provides evidence that he employs registered apprentices on all of his contracts on an annual average of not less than one apprentice to eight journeymen.

The CONTRACTOR is required to make contribution to funds established for the administration of apprenticeship programs if he employs registered apprentices or journeymen in any apprenticeable trade on such contracts and if other CONTRACTORS on the public works site are making such contributions.

The CONTRACTOR and subcontractor under him shall comply with the requirements of Sections 1777.5 and 1777.6 in the employment of apprentices.

Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, ex-officio the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

7. LEGAL HOURS OF WORK: Eight (8) hours of labor shall constitute a legal day's work for all workmen employed in the execution of this contract, and the CONTRACTOR and any subcontractor under him shall comply with and be governed by the laws of the State of California having to do with working hours set forth in Division 2, Part 7, Chapter 1, Article 3 of the Labor Code of the State of California as amended.

The CONTRACTOR shall forfeit, as a penalty to CITY, twenty-five dollars (\$25.00) for each laborer, workman, or mechanic employed in the execution of the contract, by him or any subcontractor under him, upon any of the work hereinbefore mentioned, for each calendar day during which said laborer, workman, or mechanic is required or permitted to labor more than eight (8) hours in violation of said Labor Code.

8. TRAVEL AND SUBSISTENCE PAY: CONTRACTOR agrees to pay travel and subsistence pay to each workman needed to execute the work required by this contract as such travel and subsistence payments are defined in the applicable collective bargaining agreements filed in accordance with Labor Code Section 1773.8.

9. CONTRACTOR'S LIABILITY: The CITY of Brea and its officers, agents and employees shall not be answerable or accountable in any manner for any loss or damage that may happen to the work or any part thereof, or for any of the materials or other things used or employed in performing the work; or for injury or damage to any person or persons, either workmen, employees of the CONTRACTOR or his subcontractors or the public, or for damage to adjoining or other property from any cause whatsoever arising out of or in connection with the performance of the work. The CONTRACTOR shall be responsible for any damage or injury to any person or property resulting from defects or obstructions or from any cause whatsoever, except the sole negligence or willful misconduct of CITY, its employees, servants, or independent CONTRACTORS who are directly responsible to CITY during the progress of the work or at any time before its completion and final acceptance.

The CONTRACTOR will indemnify CITY against and will hold and save CITY harmless from any and all actions, claims, damages to persons or property, penalties, obligations, or liabilities that may be asserted or claimed by any person, firm, entity, corporation, political subdivision, or other organization arising out of or in connection with the work, operation, or activities of the CONTRACTOR, his agents, employees, subcontractors, or invitees provided for herein, whether or not there is concurrent passive or active negligence on the part of CITY, but excluding such actions, claims, damages to persons or property, penalties, obligations, or liabilities arising from the sole negligence or willful misconduct of CITY, its employees, servants, or independent CONTRACTORS who are directly responsible to CITY, and in connection therewith:

- a. The CONTRACTOR will defend any action or actions filed in connection with any of said claims, damages, penalties,

obligations, or liabilities and will pay all costs and expenses, including attorneys' fees incurred in connection therewith.

- b. The CONTRACTOR will promptly pay any judgment rendered against the CONTRACTOR or CITY covering such claims, damages, penalties, obligations, and liabilities arising out of or in connection with such work, operations, or activities of the CONTRACTOR hereunder, and the CONTRACTOR agrees to save and hold the CITY harmless therefrom.
- c. In the event CITY is made a party to any action or proceeding filed or prosecuted against the CONTRACTOR for damages or other claims arising out of or in connection with the work, operation, or activities of the CONTRACTOR hereunder, the CONTRACTOR agrees to pay to CITY any and all costs and expenses incurred by CITY in such action or proceeding together with reasonable attorneys' fees.

So much of the money due to the CONTRACTOR under and by virtue of the contract as shall be considered necessary by CITY may be retained by CITY until disposition has been made of such actions or claims for damage as aforesaid.

10. NON-DISCRIMINATION: No discrimination shall be made in the employment of persons upon public works because of the race, color, or religion of such persons, and every CONTRACTOR for public works violating this section is subject to all the penalties imposed for a violation of Division 2, Part 7, Chapter 1 of the Labor Code in accordance with the provisions of Section 1735 of said Code.

11. CONTRACT PRICE AND PAYMENT: The annual contract amount shall not exceed \$25,000. CITY shall pay CONTRACTOR \$52.00 per 100 square feet of graffiti removal or alternatively \$2000 per month. CITY shall pay to the CONTRACTOR for furnishing material and doing the prescribed work at the unit price or under alternative pricing structure as directed by CITY, as set forth in accordance with CONTRACTOR'S proposal dated March 9, 2015, attached as Exhibit A "Scope of Services".

12. NOTICES: All notices required or permitted here- under shall be deemed delivered to the party to whom notice is sent upon personal delivery thereof at the addresses set forth upon which said notice is placed, postage pre-paid, in the United States mail and addressed as follows:

CONTRACTOR: Juan Reinoso, President
Urban Graffiti Enterprises, Inc.
1280 Mountain View Circle
Azusa, CA 91702

CITY: Eric Nicoll, Director of Public Works
CITY of Brea
545 N. Berry St

13. SUPERVISOR DESIGNATION: CONTRACTOR shall provide to CITY's Director of Public Works, upon execution of this Agreement, the name of the individual employed by CONTRACTOR designated as the CONTRACTOR'S primary representative for the supervision and prosecution of the work. Said designated person shall be available, upon 30 minutes notice, to respond personally or by telephone to requests for information or instructions concerning the prosecution of the work from CITY's authorized representatives.

14. CONTRACT RENEWAL NOTIFICATION: The CONTRACTOR must request, in writing at least thirty (30) days prior to the end of each year of the contract, CONTRACTOR desire to extend the agreement and the CONTRACTOR'S desire for an adjustment in the rates of compensation as set forth in paragraphs 16 and 17 hereof.

15. EXTENSION OF TERM: During the second twelve (12) month period of the Agreement, the Base Sum per month is subject to a cost-of-living adjustment (Stepped Up Base). The cost-of-living adjustment shall be set at the beginning of the second period adjustment date) in the following manner: The Consumer Price Index for all Urban Consumers (base year 1967 = 100) for the Los Angeles-Long Beach-Anaheim area published by the United States Department of Labor, Bureau of Statistics (Index) which is published for the month immediately preceding the adjustment date (Adjustment Index) shall be compared to the Index which was published for the date immediately preceding the beginning of the first twelve (12) month period (Beginning Index). If the Adjustment Index has increased over the Beginning Index, the monthly payment shall be increased by the amount obtained by multiplying the base sum by a fraction, the numerator of which is the Adjustment Index and the denominator of which is the Beginning Index, but shall not exceed a maximum of a 2% increase in any year.

16. During the third, fourth and fifth, twelve (12) month periods of the Agreement, the Stepped Up Base per month is subject to a cost-of-living adjustment. The cost-of-living adjustment shall be set at the beginning of period (adjustment date) in the same manner as the adjustment for the second twelve (12) month period, except that the Beginning Index shall be the Index which was used as the Adjustment Index for the second, third and fourth period respectively, but shall not exceed a maximum of a 2% increase in any year.

17. TERMINATION OR ABANDONMENT: This agreement may be terminated by CITY without cause, upon the giving of a written "Notice of Termination" to CONTRACTOR at least fifteen (15) days prior to the termination date specified in said notice. CONTRACTOR may terminate this agreement only for cause. Termination of the Contract does not release CONTRACTOR from any and all claims, damages or other liability incurred during the contract until CITY acknowledges such release.

18. ATTORNEYS' FEES: In The event that any action or proceeding is brought by either party to enforce any term or provision of this Agreement, the prevailing party shall recover its reasonable attorneys' fees and costs incurred with respect thereto.

19. IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed with all the formalities required by law on the respective dates set forth opposite their signatures.

CONTRACTOR:

State of California CONTRACTOR'S License No.

Date: _____

By: _____
Title

CONTRACTOR'S Business Phone: _____

Emergency Phone at which CONTRACTOR can be reached
at any time: _____

CITY OF BREA:

By: _____
Mayor

Attest: _____
Acting City Clerk

Date: _____

EXHIBIT A - SCOPE OF SERVICES
CITY OF BREA GRAFFITI REMOVAL SERVICES

March 9, 2015

Graffiti Removal Specifications

GENERAL DESCRIPTION

The services to be provided under this Proposal shall include the following:

1. Graffiti Removal

Urban Graffiti Enterprises, Inc. "Contractor" shall remove graffiti from all City-owned, private residential, commercial, and industrial structures. Contractor shall inspect all City graffiti referrals to determine the most effective method to be used to eradicate the graffiti. Methods of removal may include water blasting or other pressurized removal systems, matching existing painted surfaces or other eradication procedures as approved by the City. Contractor shall determine the most effective method(s) for removal of the graffiti at each location. The method(s) of removal will vary depending upon the type of graffiti and condition of the surface. Contractor must use care to avoid damage to existing improvements (e.g., buildings, windows, doors, walls, etc.). Existing improvements damaged by the Contractor shall be repaired at the Contractor's sole expense to the satisfaction of the City.

2. Processes, Materials and Equipment

A. Preparation.

Contractor shall properly prepare all stucco, masonry, metal, wood or other exterior surfaces in a manner that will result in an acceptable bonding of the applied paint and deter the visibility of graffiti. Contractor will use new and/or recycled water based paint. The City encourages the use of recycled paint. However, no lead-based paints will be used.

B. Application Quality.

The materials shall be applied in such a manner as will ensure smooth, even, uniform coats free of dirt, drips, ridges, waves, drops, runs, brush marks, sags, and laps. If any of these existed before, they shall be properly corrected and prepared before painting. When completed, the painting shall represent a first class, workman-like appearance. All work areas shall be cleaned of all debris, residue and excess paint immediately after completion of work.

C. Application Process.

Paint shall be applied under dry, dust free conditions and shall not be applied when the temperature is below 40 degrees Fahrenheit. All primer and intermediate coats of paint shall be unscarred and completely integral as well as completely dry at the time of the application of each succeeding coat. Contractor shall match the existing surface color when painting over or obscuring graffiti whenever possible. Paint shall be neatly feathered in all areas. If residents/businesses request a specific color, Contractor may provide labor as long as paint has been provided by the resident/business.

D. Supplies and Equipment.

The Contractor shall provide its own vehicle, equipment, supplies and materials necessary to perform the work outlined. Water blasting requires the recapturing of water used in the graffiti removal process and the Contractor shall comply with NPDES regulations and Best Management Practices (BMP's) as required by the City. Further, the Contractor shall have an airless spray unit (minimum 2500 p.s.i.) and such other equipment as may be necessary to perform graffiti removal (e.g., pressure washer, water recovery system, brushes, rollers, extensions, etc.).

E. Manufacturer Directions.

Manufacturer's recommendations for mixing, thinning, applying, type of exposure, surface to be covered, and type of surface wear to which the paint will be subjected shall be explicitly followed.

F. Paint Match.

All repainted surfaces shall reasonably match wall color to the satisfaction of the City's Program Manager.

G. Definition of Terms.

- Painted Surface. Previously painted surfaces such as stucco, block walls, tilt ups, fences, etc.
- Porous Surface. Natural unpainted surfaces such as block walls, concrete walls, curbs, sidewalks, marble, concrete light standards, etc.
- Non-Porous Surface: Glass, windows, mirrors, metal, street signs, poles, light standards, baked enamel, mail boxes, traffic control boxes, street signs, etc.

3. Graffiti Reporting and Tracking Technology

Contractor shall use technology, such as a web based reporting and referral tracking system which allows city staff to report graffiti to the contractor's office and/or field staff and track the status of existing referrals. The Contractor's Reporting System shall incorporate:

- a) Web reporting capability for the City's Project Manager.
- b) Live access via website of locations reported and completed.
- c) Orange County TAGRS system reporting. (or equivalent)
- d) Mobile device data logging of locations serviced, such as; before and after pictures, method of removal, footage and GPS location of graffiti.

Assigned field staff shall have experience with the County's TAGRS database system. All graffiti eradicated within the city shall be reported to TAGRS for tracking purposes. (or equivalent tracking system)

4. Response and Removal Time

Contractor shall survey known hotspots and sensitive areas of the city once per week and respond to special requests for removal within 48 hours. Vulgar, racial, pornographic or retaliatory images or graffiti shall be removed within 2 hours of notification.

5. Contractor Responsibility

The contractor is to assume the responsibility for all work and property owner relations.

6. Right of Entry

A. Private Property.

Graffiti removal from private property will require a release from the property owner consenting to graffiti removal. The Contractor and/or City must obtain written approval to enter and release of liability prior to starting the graffiti removal. Graffiti to be removed from private property must be visible and accessible from the public right-of-way.

B. Public Right-of-Way

Authorization shall be given to the contractor by the City for the removal of graffiti on public property.

C. Commercial signage.

Graffiti found on commercial signage shall only be removed at the direction and approval of the City's Program Manager with written approval from the owner's/occupant, understanding that the Contractor is not responsible, under this contract, for replacing any original lettering, pictures, etc., on a commercial sign. With the owner's/occupant's approval, the Contractor shall proceed with diligence to remove the graffiti with as little damage to the commercial sign as possible. Graffiti to be removed from private commercial property must be visible and accessible from the public right-of-way.

7. Clean up

All finished surfaces of the building shall be left clean and reasonably dust free. At completion of work, Contractor shall clean all exposed surfaces soiled by the work; repair all damage caused by the work at no extra cost to the property owner or the City; remove all debris created as a direct result of the work from the job site; and leave the entire installation ready for use. Water used in water blasting process must be recaptured and not allowed to enter the storm drain system.

8. Public Relations and Safety

The Contractor shall at all times conduct services with the utmost of courtesy to the public. All employees of the Contractor shall wear clean clothing in the performance of duties, and equipment shall be clean and maintained in a safe operating manner. All equipment shall be subject to inspection by the City's Program Manager, or designee. All personnel shall wear appropriate safety gear at all times while removing graffiti in the City.

9. Photographic Documentation

The contractor shall at a minimum, digitally document all locations reported and serviced with before and after pictures along with all pertinent service data such as, address, footage, removal date, etc. A web-based system that updates in real time while in the field shall be used by the contractor's service techs and shall be accessible to the City's Project Manager.

ALTERNATE PRICING STRUCTURE

We hereby propose as an alternative to pricing per removal method, the following fixed monthly service rate and schedule:

Service Crews	Weekly Service Days	Monthly Cost
1	1	\$2,000.00

We have historically serviced the city once per week and it has been sufficient to keep graffiti under control. We will continue the same level of service the city has grown accustomed to but now at a fixed monthly rate that will stay the same for the life of the contract. Once per week, our crew will patrol and service the city completing any pending requests. Any graffiti noticed by our crew while on patrol will be eradicated upon site. The city could expect all of the same features detailed in our original proposal, including emergency same day service for graphic or pornographic graffiti.

We feel confident that our extensive experience servicing the city of Brea for the past 18 years gives us unparalleled understanding as to the city's needs.

SCHEDULE OF WORK

ITEM	ESTIMATED QUANTITY	DESCRIPTION WITH UNIT PRICE WRITTEN IN WORDS	UNIT PRICE IN FIGURES	TOTAL AMOUNT
1.	9 square feet	Best match to existing paint and paint over graffiti.	\$4.44 / .13 * Per square ft.	<u>\$ 40.00</u>
2.	100 square feet	Best match to existing paint and paint over graffiti.	\$.52 / .13 * Per square ft.	<u>\$ 52.00</u>
3.	2 square feet	Graffiti removal using Biodegradable Chemicals	\$7.50 / .25 * Per square. ft.	<u>\$ 15.00</u>
4.	100 square feet	Graffiti removal using Water Blasting.	\$.80 / .50 * Per square ft.	<u>\$ 80.00</u>

Name of Company

Urban Graffiti Enterprises Inc.

Authorized Signature



* The first Unit Price is the rate per square foot up to the minimum footage stated in the Estimated Quantity column. The second is the cost per square foot after the stated minimum footage.

City of Brea

Agenda Item:

COUNCIL COMMUNICATION

Date: April 21, 2015

To: Mayor and City Council

From: City Manager

**Subject: BUDGET ADJUSTMENTS TO THE CITY OPERATING PROGRAM
BUDGET FOR FISCAL YEAR 2014-15**

RECOMMENDATION

Adopt the attached resolution appropriating funds to adjust the Fiscal Year 2014-15 City Operating Program Budget.

BACKGROUND AND DISCUSSION

Budget adjustments are presented to the City Council periodically for review. These adjustments represent the appropriation of items previously approved by the City Council during the fiscal year, or staff recommended adjustments for City Council consideration.

The recommended adjustments to the City Operating Budget are listed in Exhibit A. These adjustments are separated by funding source and the accounts are identified as either revenue or expenditure accounts.

In Fiscal Year 2013-14, year-end revenues over expenditures were \$1,415,453. Per City Council direction, 95% year-end revenues over expenditures or \$1,344,680 will be transferred to the Fixed Asset Replacement Fund (182) to build the fund's reserves. The Fixed Asset Replacement Fund is used for the upgrade and replacement of City-

BUDGET ADJUSTMENTS TO THE CITY OPERATING PROGRAM BUDGET FOR FISCAL YEAR 2014-15

owned infrastructure, facilities and capital assets. The remaining 5% year-end revenues over expenditures or \$70,773 will be transferred to the Other Post Employment Benefits (OPEB) Fund (150). This fund was established in 2014 to annually set aside funding for post-employment medical benefits for retired employees.

The Public Works Department is currently upgrading their maintenance and vehicle management program. Multiple times a day, customers/citizens call Public Works to report various repairs or conditions that need to be addressed throughout the City. This new application, City Works, tracks these customer driven work requests including assets, location, employee time, materials, and equipment used for each of its divisions (Water, Streets, Parks, Equipment and Building Maintenance, etc.). The current system, Fox Pro, is over 20 years and there have been a number of challenges to implement the City Works application, which was purchased in late 2013. Due to a lack of staff resources and the complexities involved in this implementation, the department has been using a consultant to help move this project forward. Also, at the onset of this project, the need for Geographic Information Services (GIS) was unknown and the impact it would have on the already limited GIS staff. Thus, Public Works is requesting an additional \$50,000 in GIS and professional services to complete this project. This would bring the total project cost to roughly \$150,000.

The Civic and Cultural Center was built in 1980 and is over 35 years old. A majority of the areas have not been upgraded. There has been numerous attempts to put together a comprehensive plan to address these aged areas, but there has been a lack of

BUDGET ADJUSTMENTS TO THE CITY OPERATING PROGRAM BUDGET FOR FISCAL YEAR 2014-15

available funding to complete this project in its entirety. Staff has taken the approach of fixing specific areas on an as need basis. Using this approach, over the holiday closure, the carpet on level three was replaced to match the carpet of the lobby area. The total replacement cost was \$170,000. In addition, the ceiling and carpet in the Communications & Marketing area were replaced for \$30,000. Also, with the consolidation of the Economic/Successor Agency and Community Development Departments, there is the need to move the Economic Development Division to level three and transfer the Fire Department to level two. The relocation and improvement costs are \$120,000. Lastly, a needs analysis was performed for the Police Department's locker room. The cost for this design was \$25,000. The funding for these Civic Center projects will come the reserves set aside in Fixed Asset Replacement Program for the Civic and Cultural Center Remodel.

Included are adjustments related to the City's affordable housing program. Incorporated is an appropriation of \$95,000 in the Affordable Housing Trust Fund (270) for a moderate income home loan that closed in October 2014 as well as a transfer of \$50,000 from the Housing Successor Fund (280) to the City's Affordable Housing Trust Fund (270) for a homebuyer loan in the Summerwind housing tract. Lastly, staff is requesting the removal of \$300,000, which was funded in error.

Exhibit B includes the budget adjustments to record the issuance of water revenue bonds in August 2014 and the repayment of the short term loans from the following funds: Fixed Asset Replacement, Sewer Utility, and Impact Fees. The repayment of

BUDGET ADJUSTMENTS TO THE CITY OPERATING PROGRAM BUDGET FOR FISCAL YEAR 2014-15

the loans was for the purchase of 1,277.70 shares of Class A Preferred Water Stock in May 2014.

FINANCE COMMITTEE REVIEW

The attached Fiscal Year 2014-15 budget adjustments were reviewed by the Finance Committee on April 14, 2015, and

FISCAL IMPACT

The City Operating Budget adjustments in Exhibit A result in an increase in expenditures and transfers-out of \$1,442,737 and an increase in revenues and transfers-in of \$5,570, for a net General Fund increase in expenditures and transfers-out of \$1,437,167. Overall, the adjustments result in an increase in expenditures and transfers-out of \$22,741,147 and an increase in revenues and transfers-in of \$42,998,953, for a net increase in revenues and transfers-in of \$20,257,806.

Respectfully submitted,

Tim O'Donnell
City Manager

**BUDGET ADJUSTMENTS TO THE CITY OPERATING PROGRAM BUDGET FOR
FISCAL YEAR 2014-15**

Prepared by:

Lee Squire
Financial Services Manager/Accounting

Faith Madrazo
Revenue and Budget Manager

In concurrence:

William Gallardo
ACM/Administrative Services Director

City of Brea

BUDGET ADJUSTMENTS
FY 2014-15 OPERATING BUDGET

April 21, 2015

Account Number	Current Budget	Revised Budget	Funding Required	Description
<u>GENERAL FUND (110)</u>				
5985 (EXP) Transfers-out to Fund 182	750,000	2,094,680	1,344,680	Per Council policy, transfer 95% of excess revenues over expenditures from FY 2013-14 to the Fixed Asset Replacement Fund (182)
5985 (EXP) Transfers-out to Fund 150	0	70,773	70,773	Per Council policy, transfer 5% of excess revenues over expenditures from FY 2013-14 to the Other Post Employment Benefits (OPEB) Fund (150)
<u>Administrative Services</u>				
4098 (EXP) Non-Departmental	100,000	75,500	(24,500)	Transfer funding to the Fire Department for the purchase of additional seven Electronic Patient Care Report (EPCR) tablets
2222 (EXP) Paramedic Services	4,316,439	4,340,939	24,500	
<u>Community Services</u>				
3749 (REV) Contributions - Other	(640,000)	(643,570)	(3,570)	Donations to Olinda Oil Museum & Trail
4311 (EXP) Administration	744,842	748,412	3,570	
3671 (REV) Self-Supporting Activities	(33,300)	(35,300)	(2,000)	Donation from Chevron for the purchase of Dining Room Chairs at the Senior Center
4521 (EXP) Senior Center	530,933	532,933	2,000	
4541 (EXP) Gallery	264,014	255,728	(8,286)	Remove misappropriated funding
<u>Public Works</u>				
5111 (EXP) Administration	918,913	928,913	10,000	Additional costs for the implementation of the Maintenance Management and Vehicle Program
5121 (EXP) Street Maintenance	1,465,752	1,475,752	10,000	
5141 (EXP) Parks	829,840	839,840	10,000	
Fund Total			1,437,167	
<u>OTHER POST EMPLOYMENT BENEFITS (OPEB) FUND (150)</u>				
3985 (REV) Transfers-in from Fund 110	0	(70,773)	(70,773)	Per Council policy, transfer 5% of excess revenues over expenditures from FY 2013-14 from the General Fund (110)
Fund Total			(70,773)	
<u>FIXED ASSET REPLACEMENT FUND (182)</u>				
3985 (REV) Transfers-in from Fund 110	(750,000)	(2,094,680)	(1,344,680)	Per Council policy, transfer 95% of excess revenues over expenditures from FY 2013-14 from the General Fund (110)

Account Number	Current Budget	Revised Budget	Funding Required	Description
5985 (EXP) Transfers-out to Fund 490	200,000	545,000	345,000	Transfer out to Fund 490 for Civic and Cultural Center remodel and improvement projects
Fund Total			(999,680)	
<u>AFFORDABLE HOUSING TRUST FUND (270)</u>				
3217 (EXP) Homebuyer Assistance Program	0	50,000	50,000	Transfer from Housing Successor Fund (280) for the Summerwind affordable housing loans
3217 (EXP) Homebuyer Assistance Program	50,000	145,000	95,000	Appropriate funding for moderate income home loan
Fund Total			145,000	
<u>HOUSING SUCCESSOR FUND (280)</u>				
3217 (EXP) Homebuyers Assistance Program	492,000	192,000	(300,000)	Remove misappropriated funding
3217 (EXP) Homebuyers Assistance Program	192,000	142,000	(50,000)	Transfer to Affordable Housing Trust Fund (270) for the Summerwind affordable housing loans.
Fund Total			(350,000)	
<u>LANDSCAPING & LIGHTING MAINTENANCE DISTRICT #7 FUND (347)</u>				
5112 (EXP) Maintenance District	30,499	34,499	4,000	Additional water costs and tree work performed in district
Fund Total			4,000	
<u>EQUIPMENT& VEHICLE MAINTENANCE FUND (480)</u>				
5161 (EXP) Building Maintenance	2,352,953	2,362,953	10,000	Additional costs for the implementation of the Maintenance Management and Vehicle Program
Fund Total			10,000	
<u>BUILDING OCCUPANCY FUND (490)</u>				
3985 (REV) Transfers-in from Fund 182	(200,000)	(545,000)	(345,000)	Transfer in from Fund 182 for Civic and Cultural Center remodel and improvement projects
5151 (EXP) Building Maintenance	2,440,904	2,450,904	10,000	Additional costs for the implementation of the Maintenance Management and Vehicle Program
5151 (EXP) Building Maintenance	2,450,904	2,650,904	200,000	Carpet Replacement for levels two and three. Ceiling replacement for Communications & Marketing area on level two

Account Number		Current Budget	Revised Budget	Funding Required	Description
5151 (EXP)	Building Maintenance	2,650,904	2,770,904	120,000	Relocation costs and improvements to move Fire Administration to the level two of the Civic Center Design cost for Police Department Locker Room remodel
5151 (EXP)	Building Maintenance	2,770,904	2,795,904	25,000	
Fund Total				10,000	

City of Brea

BUDGET ADJUSTMENTS
FY 2014-15 OPERATING BUDGET

April 21, 2015

Account Number	Current Budget	Revised Budget	Funding Required	Description
<u>FIXED ASSET REPLACEMENT FUND (182)</u>				
3985 (REV) Transfers-in from Fund 420	(237,790)	(8,237,790)	(8,000,000)	Payment of short-term loan from the Water Utility Fund (420) to purchase 1,277.70 shares of Class A Preferred Water Stock
Fund Total			(8,000,000)	
<u>WATER UTILITY FUND (420)</u>				
3781 (REV) Bond Proceeds	0	(18,555,000)	(18,555,000)	Bond Proceeds
3784 (REV) Premium on Bonds	0	(2,174,410)	(2,174,410)	Premium of Bonds
4524 (EXP) Bond Issuance Costs	0	285,890	285,890	Bond Issuance Costs
5985 (EXP) Transfers-out to 182	237,790	8,237,790	8,000,000	
5985 (EXP) Transfers-out to 430	0	1,443,520	1,443,520	Repayment of short term loan to Funds 182, 430, and 540
5985 (EXP) Transfers-out to 540	0	11,000,000	11,000,000	
Fund Total			0	
<u>SEWER UTILITY FUND (430)</u>				
3985 (REV) Transfers-in from Fund 420	0	(1,443,520)	(1,443,520)	Payment of short-term loan from the Water Utility Fund (420) to purchase 1,277.70 shares of Class A Preferred Water Stock
Fund Total			(1,443,520)	
<u>IMPACT FEES FUND (540)</u>				
3985 (REV) Transfers-in from Fund 420	0	(11,000,000)	(11,000,000)	Payment of short-term loan from the Water Utility Fund (420) to purchase 1,277.70 shares of Class A Preferred Water Stock
Fund Total			(11,000,000)	